Fifth Series Vol. LVI - No. 14

Tuesday, January 27, 1976
Magha 7, 1897 (Saka)

LOK SABHA DEBATES

(Fifteenth Session)

(Vol. LVI contains Nos. 11-22)

LOK SABHA SECRETARIAT
NEW DELHI

Price : Rs. 2.00

CONTENTS

No. 14—Tuesday, January 27, 1976/Magha 7, 1897 (Saka)

	COLUMNS
Oral Answers to Questions	
*Starred Questions Nos. 266, 268, 269, 272, 273, 278, 279, 282, 283, 276 and 280	1—38
Written Answers to Questions :	
Starred Questions Nos. 267, 270, 271, 274, 275, 277, 281, 284 and 285	38—46
Unstarred Questions Nos. 1185 to 1299	46—136
Re. Question of Privilege	136—37
Papers laid on the Table	137—42
Release of Member (*Shrimati V. R. Scindia*)	142
Committee of Privileges—	
Seventeenth Report	142
Committee on Absence of Members from the Sittings of the House—	
Twenty-third Report	142
Public Accounts Committee—Hundred and ninetieth Report	143
Committee of Privileges—Extension of time for presentation of Report	143
Statement re. Minister of External Affairs' Recent visit to Nepal—	
Shri Yeshwantrao Chavan	143—46
Parliamentary Proceedings (Protection of Publication) Repeal Bill—	
Motion to introduce—	
Shri Vidya Charan Shukla	146, 149—53
Shri H. N. Mukerjee	146—49
Statement re. Parliamentary Proceedings (Protection of Publication) Repeal Ordinance, 1975—	
Shri Vidya Charan Shukla	154

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

COLUMNS

Prevention of Publication of Objectionable Matter Bill—
Motion to introduce—

Shri Vidya Charan Shukla 154, 157—58

Shri S M Banerjee 154—57

Statement re Prevention of Publication of Objectionable Matter Ordinance, 1975—

Shri Vidya Charan Shukla 158

Levy Sugar Price Equalisation Fund Bill—*Introduced* 159

Bonded Labour System (Abolition) Bill·

Motion to consider, as passed by Rajya Sabha 159—66

Shri Raghunatha Reddy 160—66

Clauses 2 to 27 and 1 166—95

Motion to pass, as amended 195—200

Shri Raghunatha Reddy 195, 199—200

Shri Ramavatar Shastri 195—97

Shri Paripoornanand Pamuli 197—98

Shri Erasmo de Sequeira 198—99

Statutory Resolution re Disapproval of Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance—

and

Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill—

*Motion to consider 200—21

Shri Erasmo de Sequeira 200—202, 219—20

Shri Pranab Kumar Mukherjee 202—204, 212—19

Shri Krishna Chandra Halder 204—207

Shri B R Shukla 207—208

Shri C K Chandrappan 208—11

Shri M C Daga 211—12

Clauses 2 to 5 and 1 221

Motion to pass, as amended 222

COLUMNS

Supplementary Demands for Grants (Nagaland), 1975-76 . . 222—29

Nagaland Appropriation Bill, 1976—

Considered and Passed . . . . . 229—30

Supplementary Demands for Grants (Pondicherry), 1975-76 . 231—42

Shri S. A. Muruganantham . . . . . 238—41

Shri Krishna Chandra Halder . . . . . 241—42

Shrimati Sushila Rohatgi 242

Pondicherry Appropriation Bill, 1976—

Considered and Passed . . . . . 243—44

Assam Sillimanite Limited (Acquisition and Transfer of Refractory Plant) Bill—

Motion to consider . . . . . 244—80

Shri Chandrajit Yadav . . . . . 244—50, 274—80

Shri Dinen Bhattacharyya . . . . . 250—54

Shri R. N. Sharma . . . . . 254—57

Shri Chapalendu Bhattacharyyia . . . . . 257—59

Sardar Swaran Singh Sokhi . . . . . 259—61

Shri Jagannath Mishra . . . . . 261—64

Shri Damodar Pandey . . . . . 264—69

Shri Ramavatar Shastri . . . . . 269—72

Shri M. Ram Gopal Reddy . . . . . 272—74

Clauses 2 to 30 and 1 . . . . . 281—83

Motion to pass, as amended 283

Statutory Resolution re. Disapproval of Delhi Rent Control (Amendment) Ordinance—

and

Delhi Rent Control (Amendment) Bill—

Motion to consider, as passed by Rajya Sabha— . . . 283—329

Shri Indrajit Gupta . . . . . 283—92, 327—29

Shri H.K.L. Bhagat . . . . . 292—93, 320—27

	COLUMNS
Shri Krishna Chandra Halder	293—97
Shri Shashi Bhushan	297—300
Shri Ishaque Sambhali	300—306
Shri N. K. Sanghi	307—309
Shri N. K. P. Salve	309—12
Shri Shivnath Singh	312—15
Shri M. C. Daga	315—17
Shri R. S. Pandey	317—20
Clauses 2 to 8 and 1	330
Motion to pass, as amended	330

LOK SABHA

Tuesday, January 27, 1976/Magha 7, 1897 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Measures taken to recoup shortfall of SC/ST in Class I to IV

*266 SHRI S M SIDDAYYA Will the Minister of RAILWAYS be pleased to state

(a) measures taken by his Ministry to make up the deficiency in the representation of the Scheduled Castes and Scheduled Tribes in Class I to IV posts, and

(b) how far the special powers delegated to the General Managers of the Zonal Railways have been exercised to wipe out the deficiency in the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) A statement is laid on the Table of the Sabha

Statement

On Railways, recruitment to Class I services is made through the Union Public Service Commission

2 There is generally no direct recruitment to Class II services, vacancies in Class II being filled by promotion of suitable Class III staff However, recruitment to Class II posts in the Medical Department and in minor cadres, viz (i) Assistant Chemists and Metallurgists, (ii) Assistant Cashiers and Pay Masters, and (iii) Assistant Superintendents Printing and Stationery is made through the Union Public Service Commission, a certain proportion of Class II posts in the Railway Board Secretariat service are also filled by direct recruitment through the Union Public Service Commission

3 So far as Class III posts are concerned recruitment is generally made by the Railway Service Commissions In the case of shortfalls in recruitment of Scheduled Caste/Scheduled Tribes candidates the General Managers are authorised to resort to direct recruitment

4 Recruitment against Class IV posts is made by Railway Administrations

5 The following measures are in force on the Railways to ensure that there is no avoidable shortfall in the intake of Scheduled Caste/Scheduled Tribe candidates

(a) Availability of reserved vacancies in Class III is given the widest possible publicity

(b) No minimum qualifying marks are prescribed for Scheduled Caste and Scheduled Tribe candidates appearing for interviews in connection with recruitment

(c) When Railway Service Commissions are not in a position to supply an adequate number of Scheduled Castes and Scheduled Tribes, General Managers are allowed to recruit Scheduled Caste/Scheduled Tribe candidates from the open market

(d) Appointment to Class IV posts is normally made by screening casual labourers/substitutes already working on the Railways When adequate number of Scheduled Caste/Scheduled Tribe candidates are not available through this process to fill reserved vacancies, recruitment from the open market is resorted to

(e) If Scheduled Caste/Scheduled Tribe candidates do not become available to fill the quota in non technical and quasi technical Class III and Class IV cadres recruitment to which is made otherwise than through a written examination the best amongst the failures are appointed provided they have the minimum prescribed educational/technical qualifications

(f) In respect of posts filled by promotion where the safety aspect is not involved a relaxation of 10 per cent in the minimum qualifying marks is granted to Scheduled Caste/Scheduled Tribe candidates

(g) If, despite the above concessions the requisite number of Scheduled Caste/Scheduled Tribe candidates is not available for filling up selection posts the best amongst them i e those who secure the highest marks are provisionally earmarked for being placed on the selection panel to the extent vacancies have been reserved in their favour The candidates so earmarked are promoted for 6 months on an *ad-hoc* basis and during this period they are given facilities for improving their knowledge and coming up to the requisite standard at the end of the six month period a special report is obtained by the General Manager on the working of these candidates and their names are finally included on the selection panel provided he is satisfied in regard to their performance

(h) Instructions have also been given to the Railways to organise pre-selection coaching classes for Scheduled Caste/Scheduled Tribe candidates so as to reduce the number of failures in promotion tests

(i) Special Cells have been set up at the Railway Board's level as also at the Headquarters' and Divisional levels on the Railways to watch the progress in regard to making good shortfalls in the recruitment of Scheduled Caste/Scheduled Tribe candidates The Cell in the Railway Board is headed by a Senior Officer who is assisted by two Advisers—one each from the Scheduled Castes and Scheduled Tribes. The Cells at the level of the Headquarters of Railways is headed by a Senior Personnel Officer who is assisted by the necessary contingent of Class III staff

(j) A Brochure on Reservation for Scheduled Castes and Scheduled Tribes in Railway Services containing various orders issued by Ministry of Home Affairs/Department of Personnel as embodied and adopted by the Railway Ministry has been issued for the guidance of all concerned

6 To make good the existing shortfall in Class II Class III and Class IV categories a special drive has been launched and the Railway Administrations have been directed to make every possible effort to make good the shortfall both in direct recruitment and promotional categories by 31st March, 1976

7 During the last three years the General Managers have, under the

powers vested in them recruited 384 Scheduled Castes and 587 Scheduled Tribes to Class III posts

SHRI S M SIDDAYYA I find in the statement that several measures have been taken to wipe out the deficiency in the representation of the Scheduled castes and I congratulate the Ministry on taking such steps as they have given a lead to the other Ministries also

One of the measures that they have taken is to arrange for pre selection coaching classes for the candidates belonging to these communities to make them fit for promotion to higher posts I would like to know how many such classes were arranged during the last three years and how many were able to get promotion to higher posts

SHRI BUTA SINGH It will be difficult to give the number of special classes as the system has been introduced quite recently and all the railways have been instructed to arrange these classes

During the recruitment year April, 1974 to March 1975 the direct recruitment of Scheduled Castes was 7 696 and of Scheduled Tribes 7 430

SHRI S M SIDDAYYA I would like to know the actual deficiencies which existed on 31st March 1975 in Classes I II III and IV and whether the deficiency has been to a certain extent wiped out by now Also in view of the fact that the deficiency is more in Class I and Class II posts may I know whether the Ministry has any proposal to increase the percentage of reservation from 15 to 30 per cent for Scheduled Castes and from 7½ to 15 per cent for Scheduled Tribes, so that the deficiency may be made up in these categories also by March 1976 If there is no such proposal may I know what other steps the Minister wants to take to wipe out the shortfall?

SHRI BUTA SINGH Increasing the proportion of the Scheduled Castes is an all India question and a decision on that has to be taken by the Government of India With the present percentage available we were able to recruit during the last three years 384 and 587 Scheduled Castes and Scheduled Tribes respectively after the special steps that were introduced on the Indian Railways The shortfall up to 31st December 1975 was 1 138 in Scheduled Castes and 1,564 in Scheduled Tribes in Class III and 1,947 in Scheduled Castes and 5 234 in Scheduled Tribes in Class IV

SHRI R S PANDEY On the floor of this very House the Prime Minister once said that in all walks of life representation for the Scheduled Castes would be considered and given May I know after the emergency what steps have been taken with regard to giving representation to the SC & ST?

SHRI BUTA SINGH Immediately after the emergency a special conference was held of all the Chief Personnel Officers of the railways and special steps were taken such as reservation for SC & ST made applicable to the posts of senior scale of Class I, which were not earlier available which are filled by promotion from Class II, (2) There are no minimum qualifying marks in the interview Similarly no minimum qualifying marks have been laid down in the written tests for recruitment of popular categories As far as technical categories are concerned the answer books in the written examination are valued sympathetically In the first year in which a single vacancy occurs the vacancy is treated as unreserved irrespective of the roster point and the quota is carried forward If however in the second year also only one vacancy occurs that is treated as reserved for SC & ST as the case may be We have also asked for the organising of preselection coaching classes for the benefit of SC & ST employees appearing in the selection to a higher grade to wipe out the deficiency of the SC & ST in the intermediate grades which are partly filled by direct recruitment

Powers have been given to the General Managers

MR SPEAKER You can give the reply in brief and not read out the whole thing

SHRI BUTA SINGH These are steps that are taken in addition to what the Home Ministry has done This is the special drive launched by the Railway Board

श्री रामावतार शास्त्री : अध्यक्ष जी, 1974 की हड़ताल में जिन कर्मचारियों ने हड़ताल तोड़कर काम किया उनके बच्चे और बच्चियों की राष्ट्रभक्त कर्मचारी होने के इनामस्वरूप भर्ती की गई है—मैं जानना चाहता हू उनकी कुल भर्ती की संख्या क्या है, उनमें शेडयूल्ड कास्टस और शेडयूल्ड ट्राइब्ज की अलग अलग तादाद क्या है और उनका परसन्टेज क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री मुहम्मद शफी कुरैशी) : मुझे ताज्जुब है कि शास्त्री जी समझते है कि हमारे रेलवे के कर्मचारी देश विरोधी हैं, हमारे रेलवे के कर्मचारी देश विरोधी नहीं है । कुछ लोग जिनको लीडरों ने गलत रास्ते पर लगाया था उनके खिलाफ ऐक्शन लिया जा रहा है । साथ ही जिन रेलवे के कर्मचारियों ने रेलवे का साथ दिया उनकी हम पूरी पूरी मदद करेंगे और उनके बच्चों की मदद करेंगे ।

श्री रामावतार शास्त्री मैं ने शडयूल्ड कास्टस और शडयूल्ड ट्राइब्ज के बारे में पूछा था, उसका जवाब मन्त्री जी ने नहीं दिया ।

श्री बूटा सिंह जो लायल एम्पलाईज को एम्पलायमेंट दिया गया है उसमें बीस प्रतिशत शडयूल्ड कास्टस की संख्या पूरी की गई है ।

श्रीमती सहोदरा बाई राय : मैं मन्त्री जी से जानना चाहती हूं कि जो पदोन्नति के लिए भर्ती की गई है उसमें लड़कियों की संख्या क्या है ?

श्री बूटा सिंह : पदोन्नति तो उन्हीं की होगी जो पहले से सर्विस में हैं । यह सच है कि लड़कियों की संख्या कम है लेकिन अब इस बात का प्रयास किया जा रहा है कि रैक्रूटमेंट में लड़कियों को भी ज्यादा से ज्यादा चांस दिया जाये ।

SHRI INDRAJIT GUPTA Regarding recruitment in the railways to Class IV posts, particularly, for the track maintenance, that is, the gangmen, it provides quite a substantial opportunity for employment to Scheduled Castes and Scheduled Tribes people As the hon Minister knows, the gang men are mainly recruited from the near about villages along the track Therefore every year there used to be a substantial recruitment of Class IV people from Scheduled Castes and Scheduled Tribes for the category of gangmen

My question is, whethe the Railway Ministry contemplate any reduction in the intake of these class IV people on grounds of economy and whether it is a fact that thousands of casual workers whose services had been terminated during the 1974 railway strike also included a majority of Scheduled Castes and Scheduled Tribes people So, I would like to know whether in view of this prospect which is resulting in the reduction of the number of gangmen being employed as casual workers, this would not affect the overall employment opportunity of Scheduled Castes and Scheduled Tribes people for Class IV posts

SHRI BUTA SINGH There is no decision of the Government to reduce, the intake of Class IV employees, specially the casual labour Keeping in view the opening of new projects and the works that are going on, as and when there is a requirement of the casual labour, as many as they

are required, the casual labourers will be taken

SHRI INDRAJIT GUPTA: We have been told the other day by the Railway Minister that on grounds of economy, new projects, new lines, construction projects, are going to be reduced. Therefore, I am asking whether it will not mean shrinkage of overall employment opportunities, particularly for Scheduled Castes and Scheduled Tribes people and also the people who have been retrenched during the strike.

SHRI BUTA SINGH: As I said, there is no decision of the Government to have economy drive specially for Class IV casual labour. Wherever there is a project, as many casual labourers as are required will be taken. As regards the casual labour that has been retrenched, not as a result of the strike, the nature of the casual labour is such that so long as the project is there, the casual labour is kept and, when there is no project, unfortunately, we cannot keep the casual labour.

SHRI MOHD. SHAFI QURESHI May I add that out of 40,000 casual labourers who had gone on strike, 24,000 have been taken back? The rest will be taken back as soon as the works are restored.

M.R.T.P. Commission's Directions to Automobiles Dealers

*268. SARDAR SWARAN SINGH SOKHI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Monopolies and Restrictive Trade Practices Commission has directed the dealers of automobiles to discontinue the agreements they had entered into for resale prices and maintenance in Delhi and elsewhere; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). Yes, Sir. The reference in Part (a) of the Question to the agreements relating to "resale prices and maintenance..." is presumably to "resale price maintenance". In its order issued on the 29th August, 1975, the M.R.T.P. Commission has directed five New Delhi Dealers of M/s. Hindustan Motors Ltd., Calcutta for the sale of its Ambassador cars, to discontinue to act under an agreement/arrangement/understanding between themselves by virtue and in pursuance whereof they were indulging in the restrictive trade practice of resale price maintenance. The relevant extracts from the Commission's order in this behalf are laid on the Table of the House. [*Placed in Library. See* No LT 10234/76)

SARDAR SWARAN SINGH SOKHI: May I know from the hon. Minister the names of five dealers in New Delhi and whether the directions would also apply to the resale of second-hand cars.

SHRI BEDABRATA BARUA: It does not relate to the resale of second-hand cars.

SARDAR SWARAN SINGH SOKHI: What about their names?

SHRI BEDABRATA BARUA: They are: Delhi Automobiles; Delhi Motors and Cycles Co.; Rajiv Motors Private Ltd.; Syndicate Motors Private Ltd.; and Vikas Motors.

SARDAR SWARAN SINGH SOKHI: I want to know whether such directions have been given to Fiat and Standard dealers also and, if not, the reasons thereof.

SHRI BEDABRATA BARUA: No, Sir. This was strictly a question of

five dealers in Delhi. That is also confined to Hindustan Motors Ltd. No directions have been issued to other dealers.

Guide Bundhs on both sides of Chitauni Railway Bridge

*269. SHRI NARSINGH NARAIN PANDEY: Will the Minister of RAILWAYS be pleased to state:

(a) whether U.P. and Bihar Governments have agreed to construct guide bundhs on both sides of Chitauni Railway Bridge;

(b) if so, the amounts sanctioned therefor and the action taken in this regard;

(c) whether in order to facilitate the work on this bundh, land was acquired; and

(d) if so, the area acquired so far?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The Uttar Pradesh Government has agreed to finance the river training works for Gandak bridge estimated to cost Rs. 6.0 crores from the Flood Sector and the Planning Commission has been approached for allotment of additional funds to them.

(c) and (d). An area of about 104 acres has so far been acquired in connection with the construction of the bundh.

श्री नरसिंह नरायण पांडे : क्या मंत्री महोदय यह बताने की कृपा करेंगे कि अभी तक जिस 104 एकड भूमि का अधिग्रहण किया गया है, उस का कम्पेंसेशन गांववालों को दिया गया है ? यदि नही दिया गया है तो उस के देने की आ ने क्या व्यवस्था की है ? क्या उत्तर प्रदेश सरकार ने इस सम्बन्ध में आप से कोई कम्पेन्सेशन मांगा है ? यदि मांगा है तो आप ने उस सम्बन्ध में क्या कार्यवाही की है ?

श्री बूटा सिंह : हम को जो 490 एकड़ भूमि चाहिये थी, उस में से तकरीबन 104 एकड़ एक्वायर की जा चुकी है । इस में जो कम्पेन्सेशन गांववालों को देना होता है, वह राज्य सरकार को देना होता है, राज्य सरकार जब उस का बिल भेजती है तो हम यहां से उसको री-एम्बर्स कर देते हैं । इस समय इस प्रकार का कोई बिल हमारे पास पेमेन्ट के लिये बाकी नही है ।

श्री नरसिंह नरायण पांडे : क्या 6 करोड़ रुपया जो फलड-सेक्टर में उत्तर प्रदेश सरकार ने प्लानिंग कमीशन से मांगा है, क्या यह स्टेट गवर्नमेंट के प्लान के अन्दर है या उस के बाहर है तथा रेल मंत्रालय ने इस सम्बन्ध में क्या कायवाही की है ?

श्री बूटा सिंह : गाइड-बन्ध के लिये जो पैसा मांगा गया है, वह उत्तर प्रदेश गवर्नमेंट का एक सेपरेट प्रोजेक्ट है । इस को रेल मंत्रालय ने सपोर्ट किया है, लेकिन अभी तक उस पर कोई निर्णय नही लिया गया है ।

श्री डी० एन० तिवारी : प्रश्न यू० पी० और बिहार दोनों के सम्बन्ध में था, लेकिन मंत्री जी ने यू० पी० के ही सम्बन्ध में जवाब दिया है । मैं जानना चाहता हूं कि बिहार सरकार का इस के बारे में क्या रिएक्शन है, उस ने आप से इस सम्बन्ध में कुछ कहा है या नही ? एक तरफ बांध बना देने से दूसरी तरफ पानी के दबाव से बह जाने का खतरा होता है—क्या इस सम्बन्ध में बिहार सरकार ने आप को कोई सूचना दी है या नही तथा क्या वहां पर कोई काम हो रहा है या नहीं ?

श्री बूटा सिंह : इस प्राजेक्ट का एक छोटा सा भाग बिहार राज्य मे पड़ता है । अभी बिहार सरकार ने इस बांध का खर्चा सहन करने की अनुमति नही दी है ।

श्री हरिकिशोर सिंह : भू-अर्जन मे जो कठिनाई हो रही है, उस के कारण इस प्राजेक्ट की प्रगति बहुत धीमी है । मैं मत्री जी से जानना चाहता हूं कि जनता को आश्वासन देने के लिये क्या सरकार कोई निश्चित समय की घोषणा करेगी कि अमुक समय तक वह पुल बन जायगा ?

श्री बूटा सिंह : इस पुल का बनना इस लिये मुश्किल हो रहा है कि अभी गाइड-बध बनने हैं । जब तक ये गाइड बंध नही बनेगे, पुल बनाना सम्भव नही है, क्योंकि यह नदी अपना कोर्स चेन्ज करती रहती है । इस लिये जब तक गाइड बध का काम नही हो पाता है, पुल का काम हाथ में लेना असम्भव है ।

Survey for Oil in Bombay

*272. SHRI RAGHUNANDAN LAL BHATIA. Will the Minister of PETROLEUM be pleased to state

(a) whether an integrated geophysical survey for oil has been carried out by Oil and Natural Gas Commission in Bombay recently, and

(b) if so, the results thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). Seismic surveys have been conducted in the Bombay High area as well as in the adjoining areas to the west, north-west and south-west of Bombay High recently. The results of the seismic surveys are being processed and interpreted.

SHRI RAGHUNANDAN LAL BHATIA: We have been getting this sort of answer for quite some time whenever a question is put with regard to oil exploration and geophysical survey. May I know from the hon. Minister if appreciable results have accrued in the areas of Saurashtra and Kutch where our ship, **Anwesak**, has been in the survey work for quite some time?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): The process of oil exploration is a long one. The first process is the geophysical process, which has more or less been completed both in Saurashtra and Kutch. We are now trying to pinpoint areas in the Saurashtra area where we may be ready to start our drilling either before the monsoon or after the monsoon after the results are available to us.

So far as the Kutch area is concerned, the hon. Member might be aware that a part of this area has been given on contract to a foreign concern on a long-term basis. There, the first well is almost being completed and as soon as the next 600 or 700 ft. are completed, the well will be put to test for production, and when the test of production is completed, then the results will be known.

SHRI RAGHUNANDAN LAL BHATIA: May I know from the hon. Minister what is the success ratio of oil and gas-bearing structure in this country and how it compares with the world average?

SHRI K. D. MALAVIYA: The discovery and production ratio of oil wells or gas wells in India is quite satisfactory, but the intensity of exploration activity is not as intense in this country as it is in USA. For instance, per capita production of oil

from a well in America is far below than what it is in India and it is much below than what it is in South Arabia. One oil well in South Arabia perhaps gives hundred times or two hundred times more oil than in America and perhaps thirty, forty or fifty times more than what it gives in India. Therefore, this is just incidental, good or bad luck. India, luckily, has a fairly good quantity of oil per capita production so far as comparative study of the wells is concerned.

SHRI M. RAM GOPAL REDDY: In view of the fact that we are spending huge amounts on the import of oil, I would like to know, why the Minister should not spend more money on surveys and explorations How much has he been spending and how much has he been increasing from year to year for the last one or two years?

श्री के० डी० मालवीय काफी पैसा हम लोग खर्च कर रहे है तेल की तलाश मे और इस साल तो और भी ज्यादा खर्च हो रहा है, समुद्र मे भी और तट पर भी, लेकिन सभी कामों को देखना पडता है, उस को देखते हुए तुलनात्मक दृष्टि से हमारी मिनिस्ट्री की राय में हम इस समय काफी पैसा खर्च कर रहे है ।

Modernising of Rail Tracks

*273 SHRI M. KATHAMUTHU:
SHRI CHANDRA SHEKHAR SINGH:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Railways are modernising the rail track for high speed travel;

(b) if so, the salient features thereof; and

(c) the work which has been started?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). Sir, A statement is laid on the Table of the Sabha.

Statement

(a) The Indian Railways are modernising rail track, within the limited resources available on selected routes of Broad Gauge, to cater to the increasing densities of goods and passengers traffic, to bring about economies in maintenance and operational costs, and simultaneously making these tracks fit for future higher speeds

(b) The salient features of track modernisation are as under:—

(i) Higher maintenance standards through periodical monitoring of the track by sophisticated track-recording and oscilograph cars and introduction of improved methods of maintenance like measured shovel packing, directed track maintenance and mechanical tamping

(ii) Improved track structure with heavier section of rails viz., 52 Kg and 60 Kg, higher density of sleepers, provision of long welded rails on concrete sleepers and elastic fastenings

(c) Track recording cars are regularly run once in 3/4 months and oscilograph cars once in 6 months, on the heavy density and trunk routes of all the Zonal Railways. The results of these recordings are advised to the Railways for effecting improvements in the track, wherever necessary.

Directed track maintenance has been introduced on a length of 500 kms. on the main routes of each zonal Railway on the B.G. system.

Measured should packing has been introduced for lengths varying between 200 and 400 kms. on the various Zonal Railways.

41 tie-tamping machines are working on the various zonal Railways. Their distribution is as under:—

Central . . .	7
Eastern . . .	10
Northern . .	10
Southern . . .	3
South Central . .	3
South Eastern . .	4
Western . . .	4

So far, 12,500 kms. of track have been laid with 52 kg. rails. Their details are as under:—

Cenra . . .	3510
Eastern . .	1666
Northern . . .	1527
Southern . . .	322
South Central . .	1415
South Eastern . .	2786
and	
Western . . .	1274

The Long Welded Rails has been done for a total length of 1,814 kms. on the BG route, the details of which are as under:—

Central Railway . .	659
Eastern Railway . .	98
Northern Railway . .	690
Southern Railway .	5
South Central Railway .	123
South Eastern Railway .	141
Western Railway . .	98

Since 1974, a beginning has been made in the laying of prestressed concrete sleepers on the Northern, Central, Southern and Eastern Railways. So far about 80 kms. of track has been laid with concrete sleepers.

About 800 kms. of steel through sleepers on the various Railways have been provided with elastic fastenings.

SHRI M. KATHAMUTHU: In the statement, the Minister has said that the railways are modernising rail track within their limited resources. In that case, it will take a pretty long time to make the railway track fit for high speed travel. I would like to know if there is a time-bound programme for this scheme.

SHRI MOHD. SHAFI QURESHI: A 15-year time-bound programme has been chalked out. The annual requirement of funds is about 79 crores. As against this, we have been getting much less. As and when the financial position improves and we are able to get the required amount, we would be able to complete this project within fifteen years.

SHRI M. KATHAMUTHU: So far, 12,500 kms. of track have been laid with 52 kg. rails. Out of this, only 322 kms. have been laid in the Southern Railway. I would like to know the reason for this low figure for the Southern Railway.

SHRI MOHD. SHAFI QURESHI: The work is taken up on phased basis. Now that we have taken up the work in the southern region, more of the rail track there would be made fit for high speed.

SHRI R. V. SWAMINATHAN: The modernization of the rail track includes the conversion of meter gauge into broad gauge. If so, is there any plan for the South?

SHRI MOHD. SHAFI QURESHI: It only means modernising the broad gauge.

SHRI INDRAJIT GUPTA: If conversion of track maintenance is done from present manual methods to these sophisticated methods, I would like to know, particularly, in the case of directed maintenance and mechanical tamping in which these modern machines are being used, what will be its effect on the employment potential of those track maintenance workers who have been doing this work all along by manual operation. To what extent, would they be rendered surplus and displaced and what do you propose to do about it?

SHRI MOHD. SHAFI QURESHI: This has been worked out and nobody would be rendered surplus by this.

SHRI KRISHNA CHANDRA HALDER: I would like to know from the hon. Minister whether Government has any scheme to introduce double-decker coaches in the near feature, since they are taking up a modernisation programme. If so, I would like to know when the double-deckers trains will be introduced on the track.

SHRI MOHD. SHAFI QURESHI: A proto-type of the double-decker train is already being tried at the moment and I think within a year we will be able to introduce it in a limited way on some routes.

Distribution of Soda Ash to Industries

+

*278. SHRI S. N. SINGH DEO:
SHRI TUNA ORAON:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there are any difficulties in the supply of soda ash to the industry;

(b) if so, the nature thereof; and

(c) whether there is any control on prices and distribution of soda ash?

THE DEPUTY MINISTER IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI C. P. MAJHI): (a) and (b). The position regarding the aailability of soda ash is presently easy.

(c) No, Sir.

SHRI S. N. SINGH DEO: I would like to know from the Minister whether it is a fact that various industries in different States which are dependent on supplies of soda ash are not getting supplies in adequate quantities or in time. If this is a fact, what steps does the Government propose to take so that supplies are made in time to the small industries which are dependent on supply of soda ash?

SHRI C. P. MAJHI: Presently the position of availability of soda ash has become vary much easy and we have almost been able to meet the demands every year. We have not received any sort of complaints about shortage of soda ash.

Proposal to curtail Writ Jurisdiction of Courts

+

*279. SHRI DINESH CHANDRA GOSWAMI:
SHRI M. C. DAGA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have any proposal to curtail the writ jurisdiction of the Courts so far as welfare legislations and economic offences legislations are concerned; and

(b) if so, the broad features thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) The question as to whether the Constitution requires to be amended in any respect is under examination. No concrete proposal

with reference to any particular article of the Constitution has yet been formulated.

(b) Does not arise.

SHRI DINESH CHANDRA GOSWAMI: May I know from the Government whether it has come to their notice that in many strategic areas of the fight against poverty, implementation of progressive legislation and executive orders have been frustrated because of stay-orders being issued by courts under their writ jurisdiction and, in many cases, this jurisdiction have been exercised in excess of the powers contemplated by the farmers of the Constitution in regard to the courts' jurisdiction? If that be a fact, what steps is the Government taking to remedy the situation?

SHRI H. R. GOKHALE: Government is aware of this position. Government is aware that in exercise of the powers under the Constitution, in many matters, injunctions have been issued and stay orders have been issued and, in many cases, progressive legislation and executive orders have also been stayed.

Regarding the second part also, as the Hon. Member has said, sometimes they go beyond or in excess of their powers on the pretext that the jurisdiction of the court is invoked and the court issues injunctions and orders Government is aware of this position and, while taking a decision on the question, this will be one of the main factors that will be borne in mind.

SHRI DINESH CHANDRA GOSWAMI: Has the Government made any study as to the number of cases, at least in regard to land legislation, where stay orders have been issued by courts in different States?

SHRI H. R. GOKHALE: Yes, Sir; although I don't have the figures here, we have made a study and we know that, in a large number of States, land-reform legislation had been stayed by the issuance of writs and injunctions by High Courts under Art. 236.

SHRI DINESH CHANDRA GOSWAMI: Will he kindly place the number of cases on the Table of the House?

MR. SPEAKER: You have the number?

SHRI H. R. GOKHALE: I do not have it now, but I do not mind placing it on the Table of the House.

श्री मूल चन्द डागा : आप ने बड़ा अच्छा उत्तर दिया कि सरकार जांच कर रही है सरकार को यह कितने लम्बे अर्से से मालूम है कि हमारी हाई कोर्टस और सुप्रीम कोर्ट जो कुछ भी हम सुधार लाना चाहते है देश मे, उन में रोक पैदा कर रही है । आप का बहुत समय से यह मालूम है और आज तक आप जांच ही कर रहे हैं ।

श्री एच० आर० गोखले : बहुत लम्बे समय से मालूम तो है कि लेकिन हर बात को करने के लिए समय आना चाहिए ।

श्री विभूति मिश्र . मैं जानना चाहता हू कि बिहार मे इन्दिरा जी के 20 सूत्री कार्यक्रम को लागू करने के पहले और उस के बाद पटना हाई कोर्ट मे कितने मुकदम्मे इजेक्शन के दायर हुए है और लैंड सीलिंग का मामला स्थगित कर दिया गया है । जब किसी पीयून या किसी क्लर्क की बदली होती है और वे रिट पेटिशन दायर करते है तो तुरन्त उन का इजेक्शन मिल जाता है, यह बात सरकार के ध्यान मे बहुत दिनो से है । मैं जानना चाहता हूं कि इन सारी बातो के रहते हुए 20 सूत्री कार्यक्रम को लागू करने मे जो छोटी मोटी अड़चन डाली जाती है, उन को सरकार क्यो

दूर नहीं करती है । हमारे यहां कहावत है "देखते देखते पल्टू मल्लाह को बाघ बीच से गया ।" वही हाल आज हमारे यहां हो रहा है ।

SHRI H. R. GOKHALE: About land ceiling legislation, I put it in general terms. I said land reforms legislation. We are aware and we know that such orders have been issued by courts and I will not be able to tell just now specifically with regard to Patna High Court. But I have progressed this information and I will lay it on the Table of the House.

With regard to transfers, the hon. Member said, I know of a few cases, although not many, where transfers have been stayed by the High Court which, in my humble opinion, was beyond the jurisdiction of the courts concerned.

SHRI H. N. MUKERJEE: In view of the Government's professed policy in this regard, whatever be the genuineness behind it and in view of the fact that moral support to this matter of chance in our law has come pre-eminently from some very eminent jurists, may I know how it is that this delay goes on taking place and what are the actual bettlenecks which stand in the way of Government's putting into practice the policy which it professes even through the mouth of the Law Minister himself?

SHRI H. R. GOKHALE: It has come to our notice, as I said, and it is true that sections of opinion which include jurists have supported the move to curtail the jurisdiction of the courts. But there are many legal impediments also and we are working on those legal impediments. For example, one thing you know, the question as to whether the change in the power of judicial review affects the basic features of the Constitution is still pending decision in the court. But, I do not mean to say that we will wait till that, but what I am saying is that all these aspects have to be examined before anything is thought of.

MR. SPEAKER: Next question—Shri Hari Singh—absent. Shri Sakti Kumar Sarkar—also not here. Shri R. S. Pandey.

Accident at unmanned Level Crossing between Patas and Daud

\+

*282 SHRI R. S. PANDEY:
SHRI JAGANNATH MISHRA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether train and truck collision on 19th May, 1975 at the unmanned level crossing between Patas and Daud in Poona resulted in the death of more than 60 persons;

(b) has any enquiry been instituted in the matter; and

(c) if so, the findings thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Yes, Sir.

(c) The accident was due to the driver of the motor truck having driven it into the unmanned level crossing in a rash and negligent manner in the face of the approaching train. The owner of the truck, who was actually driving it; has been held responsible for his failure to stop at the Warning Boards and to look out for the approaching train at the unmanned level crossing. He also carried excess persons in his goods truck in contravention of the Motor Vehicles Act.

श्री राम सहाय पांडे : श्रीमन, रेलवे के इतिहास में क्रासिंग रेल के फाटक के होने वाली दुर्घटनाओं में यह सब से बड़ी दुर्घटना है जिस में करीब 60 व्यक्ति दुर्घटना के शिकार हो गये और उन की मृत्यु हो गई

और उन में बच्चे थे, स्त्रियां थी और पुरुष थे। यह ठीक है कि ट्रेक तेज रफ्तार से आई और रेल निकल रही थी, लेकिन यह इसलिए हुआ कि फाटक पर चौकीदार नही था। अगर वहां पर फाटक होता और चौकीदार होता, तो ये जो 60 आदमी बिना कारण मर गये, ये न मरते और यह दुर्घटना न हुई होती। तो मैं सरकार से जानना चाहता हूं कि देश भर में ऐसे स्थान कितने है जहा पर न फाटक है और न चौकीदार है। कितने ऐसे फाटक हैं जोकि खुले रहते है और वहा पर कोई चौकीदार नही है। अगर फाटक और चौकीदार नही है, तो सरकार उस सम्बन्ध मे क्या करने जा रही है।

रेल मंत्रालय में राज्य मंत्री (श्री मुहम्मद शफी कुरेशी) : मैं खुद मौके पर गया था। वहां पर एक बारात जा रही थी और उस ट्रक मे करीब 80 आदमी थे और ड्राइवर की फ्रंट सीट पर ही 6 आदमी बैठे हुए थे। उस समय पुलिस की चैकिंग हो रही थी और ड्राइवर ने पुलिस से बचने के लिए एक ऐसा रास्ता अख्तियार किया जहा पर अनमैन्ड रेलवे क्रासिंग थी और वहा पर बदकिस्मती से यह एक्सीडेंट हो गया। इण्डियन रेलवेज मे करीब 40 हजार क्रासिंग हैं और उन सब को मैन करना बडा मुश्किल है।

श्री राम सहाय पांडे : दूसरी बात यह है कि बारात जा रही थी, तो आप समझ सकते है कि उस मे दुल्हा भी होगा। तो वह विदा हो कर दुल्हन को ला रहा था या शादी करने जा रहा था। उस दुर्घटना मे जो लोग उस के शिकार हुए, उन मे दुल्हा भी था। आप सोच सकते है कि दुल्हा किस कल्पना से दुल्हन को लेने जाता है और अगर वह शादी के बाद उस को ले कर आ रहा था, तो सुहागरात का बात भी सोच रहा होगा। मैं आप से यह जानना चाहता हूं कि जो लोग मरे हैं उन को आपने कुछ मुआविजा दिया है?

श्री मुहम्मद शफी कुरेशी : वहां पर मौके पर जा कर तकरीबन डेढ़ लाख रुपया हम ने उन लोगो के परिवारों को दिया है। और आन दि स्पाट जो मदद उन को चाहिए थी, वह मुकम्मल तौर पर उन को दी गई है।

श्री जगन्नाथ मिश्र : अध्यक्ष महोदय, मंत्री महोदय, के जवाब से प्रश्न यह उत्पन्न होता है कि रेलवे फाटको पर उन का कोई आदमी नही रहता है। क्या मैं जान सकता हूं कि क्या वे यथासम्भव फाटक पर एक चौकीदार दिया करेंगे जिस से इस तरह की घटना फिर न हो।

दूसरी बात यह है कि जब रेलवे की दुर्घटना होती है, तो उस दुर्घटना मे मरने वाले लोगो को 50 हजार रुपये हरजाने के दिये जाते है। तो क्या इस मे मरने वालो को भी कोई मुआविजा देने की व्यवस्था है। अगर नही है, तो क्यो नही है?

श्री बूटा सिंह : अध्यक्ष महोदय, अभी जैसा कि राज्य मंत्री ने बताया है कि सिविल क्रासिंग देश मे करीब 40 हजार के है। इसलिए सब जगहो पर आदमी नही रखे जा सकते हैं।

जहा तक कम्पेंसेशन की बात है, यह ऐसी दुर्घटना नही थी जिस को सही माइने मे रेल दुर्घटना माना जा सके क्योकि अगर कोई जानबूझ कर रेल के सामने आ जाए, तब तो सब को कम्पेंसेशन देना बडा मुश्किल है।

श्री जगन्नाथ मिश्र लोग क्या जानबूझकर मरने आते है।

अध्यक्ष महोदय : आर्डर प्लीज।

SHRI N. K. SANGHI: May I know from the hon. Minister, since it is a

matter of 40,000 un-manned Railway crossings, what is the phased programme to man them in the next five to ten years?

SHRI MOHD. SHAFI QURESHI: The matter is reviewed every year. I think more than 14,000 gates are manned. The upgradation to man them takes place on the basis of density in any particular area.

Installation of Captive Power Plants financed by World Bank Loan

*283. SHRI D. D. DESAI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the fertilizer plants at Gorakhpur, Durgapur and Trombay are to have captive power plants financed by World Bank loan;

(b) if so, the particulars thereof; and

(c) whether the State Governments have certain objections to the installation of these captive power plants?

THE DEPUTY MINISTER IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI C. P. MAJHI): (a) and (b). A sectoral loan amounting to $105 million dollars has been negotiated with the World Bank mainly to improve capacity utilisation in the fertilizer industry; this loan would also cover the foreign exchange cost of the setting up of captive power generation facilities at Gorakhpur, Durgapur and Trombay. The capacity of the power plants proposed at these places and their estimated cost would be as under:

Project	Cost	Capacity
Gorakhpur	Rs 17 crores	12·5 MW ×2
Durgapur	Rs. 15 crores	15 MW
Trombay	Rs. 7 crores	18 MW

(c) While the Governments of Maharashtra and U.P. have agreed to setting up of captive power generation facilities at Trombay and Gorakhpur respectively, discussions are still in progress with the Government of West Bengal in regard to captive power facility at Durgapur.

SHRI D. D. DESAI: The States in which the fertiliser plants are located have suffered continuously for several years shortage of power and power cuts. The Minister said that two of the States have finally agreed to the installation of their own power plants, and the third one has yet to give its reply. Will not the Ministry exercise its own judgment and discretion in view of the repeated failures of the States to supply continuous power to the fertiliser plants which are not being utilised to the full capacity and there is repeated shortage of fertilisers in the country? Sir, the hon. Minister knows that there is repeated shortage of power in the country May I know whether any steps have been taken to intimate to the Bharat Heavy Electricals about the needs and the specifications of the plant so that they may make advance preparations and be ready to make quick deliveries? Has he worked out with the labour organisations and the management of the concerned fertiliser plants about the necessity to utilise upto 80 per cent of the installed capacity of those plants and this new power plant to be installed?

SHRI C. P. MAJHI: State Electricity Boards are under the central of the State Governments. Whenever electrical plants are installed, in regard to fertiliser projects, etc. the State Governments should be consulted and then only we can instal those power projects. FCI has no discretion to instal its own plant without consulting State Governments. Regarding steps to improve upon the functioning of the fertiliser plants, several steps are being taken and we

hope that we will improve upon the functioning of them.

SHRI D. D. DESAI: Sir, the World Bank advances loans on the condition that the equipment should be bought at international prices by world tenders and they do permit purchases within the country so long as their prices are the same as world tender prices. The power position and its availability have been causes of worry and stagnation during the years 1973-74, 1974-75 and 1975-76. Now, the capacity within the country does exist to manufacture the required plants. Will not the Government make use of the existing capacity within the country and order BHEL to commence manufacture and supply on the condition that they will be paid at the world tender rates as and when these rates are obtained? May I know the steps which the Minister has taken in this direction?

THE MINISTER OF CHEMICALS AND FERTILISERS (SHRI P. C. SETHI): The World Bank loan is needed in order to cover foreign exchange components which would be required but the equipments which are available within the country would be fully utilised. The Maharashtra Government and the UP Government have agreed but unfortunately the West Bengal Government has not been agreeable because they say that power is available there in plenty. But although power is available there, there are lot of voltage difficulties and therefore this thing causes serious difficulties.

We have taken up this matter again with the West Bengal Government and we shall proceed with that if they agree.

श्री गेन्दा सिंह : मैं गोरखपुर के कारखाने की तरफ आपका ध्यान दिलाना चाहता हूं। उत्तर प्रदेश की सरकार ने अपनी सहमति उसके लिए दे दी है। फिर भी क्या कारण है कि गोरखपुर का काम पिछड़ा हुआ है और क्यों उस काम को प्राथमिकता नहीं दी जा रही है ? गोरखपुर का कारखाना बहुत तरक्की पर है। उसके लिए राज्य सरकार भी राजी है। क्यों उसका काम पिछड़ा हुआ है और क्या उसकी तरफ मंत्री महोदय का ध्यान है और है तो वह उसके लिए क्या उपाय करने जा रहे है।

श्री पी० सी सेठी : जहां तक इस कारखाने का सम्बन्ध है पिछले महीनों में वहां तरक्की हुई है और उत्पादन बढ़ा है। जो पावर डिफिकल्टी है उसको मीट करने के लिए एक्सट्रा पावर कैपेसिटी बिठाने का प्रयत्न किया जा रहा है। गोरखपुर एक्सशन का काम भी सन्तोषजनक चल रहा है। पिछले वर्ष के मुकाबले गोरखपुर का रिजल्ट अच्छा रहा है।

श्री नरसिंह नारायण पांडे : दिसम्बर, 1975 में पिछले एक साल में गोरखपुर खाद कारखाने में 131 टोटल पावर फेल्योर हुए और 141 बार वोल्टेज कटे हुए। इसी तरह से 1975-76 में 17 बार पावर फेल्योर हुए और 28 बार वोल्टेज की वजह से पावर कट हुए। इस का प्रभाव यह पड़ा कि 63466 टन यूरिया कम पैदा हुआ। मैं जानना चाहता हूं कि गोरखपुर प्लांट के लिए क्या कोई कमेटी नवम्बर, 1970 में इन पावर फेल्योर की जांच के लिए बनी थी और उसने अपनी रिपोर्ट दी थी, यदि हां, तो उस पर आपने क्या कार्रवाई की है? और क्या कोई अलग से कैप्टिव पावर स्टेशन बनाने का आपका विचार है और उसके लिए वर्ल्ड बैंक से क्या आप बातचीत कर रहे है ? कैसे यह जो लास (Loss) हो जाता है इनको आप पूरा करना चाहते हैं ?

श्री पी० सी० सेठी : फर्टिलाइजर कारपोरेशन और मंत्रालय दोनों को मालूम

है कि ट्रांसविगन का जो सोर्स है गोरखपुर में वह करीब तीन सौ किलोमीटर दूर है। उनकी वजह से वहां कठिनाई रहती है। रिपोर्ट के मुताबिक उस में एक्सपेंशन और उनकी स्ट्रीम को सुधारने की जरूरत है और उनके लिए 12.5 मैगावाट के दो यूनिट लगाने की वहां पर कार्रवाई की जा रही है। इसकी वजह से टोटल स्ट्रीम पावर की एवैलेबिलटी 51 मेगावाट हो जाएगी और उसके बाद पावर की तकलीफ नहीं होगी। इसीलिए राज्य सरकार से सलाह ली गई थी और वह राजी हो गई है और वहां पर कैप्टिव पावर प्लांट लगाने की योजना को हम आगे बढ़ा रहे हैं।

MR. SPEAKER: The question list is over We can go over the question list again and take up those questions which were not answered in the first round. Q. No. 276—Shri Banerjee

Wagon Industry

*276. SHRI S. M BANERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether wagons industry is to work below its rated capacity in the near future; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Although the ten active units in the industry have a total installed annual capacity of about 24,000 wagons (in terms of four wheeler units), the actual production during the recent past has been only about 10,000 per year, as some of the units are sick units and some others are not working to their installed capacity.

Although due to financial constraints, the production in some of the active units had to be regulated this year (1975-76), the industry is expected to maintain the normal production of about 10,800 wagons.

SHRI S. M. BANERJEE: I would like to know what has happened to our export orders which were given to us by Yugoslavia and other socialist countries and whether those orders have been fulfilled or not. If not, what is the reason for that?

SHRI MOHD. SHAFI QURESHI: I do not have the information available with me. I think the question pertains to the Ministry of Commerce.

SHRI S. M. BANERJEE: But, they do not produce. You produce.

MR. SPEAKER: Well, he does not have the information.

SHRI S. M. BANERJEE: I would like to know the number of workers who have been declared surplus because of low or lesser production and what steps have been taken by Government to give them alternative jobs.

SHRI MOHD. SHAFI QURESHI: I am sorry to point out that we are not producing wagons. They are produced in the private sector and the public sector. The question should be addressed to Ministry of Industry under whom the Wagon Authority of India is functioning.

SHRI NAWAL KISHORE SINHA: Sir, the Government took over the two wagon manufacturing factories in Bihar, namely, Arthur Butler and Britannia Engineering.

May I know whether is it a fact that those two factories are not working to full capacity because orders are not to the required extent and also because the price fixed by the Railway Board for wagons to be supplied to them falls short of the price offered to private manufacturers?

SHRI MOHD. SHAFI QURESHI: The production in these two units is

much below the installed capacity. No price has been fixed by the railways for the purchases in 1976-77.

श्री ओंकार लाल बेरवा . मैं यह जानना चाहता हूं कि हमने कितने डिब्बे पब्लिक सैक्टर में और कितने डिब्बे प्राइवेट सैक्टर में बनाने का काम शुरु किया है ।

श्री मुहम्मद शफी कुरेशी : मेरे पास यह आंकडे हैं जैसे मेसर्ज आर्थर बटलर की इन्स्टाल्ड कैपेसिटी 1000 है लेकिन इस वक्त लोड 450 है । इसी तरह मेसर्ज ब्रज एंड रूफ की इंस्टाल्ड कैपेसिटी 1585 है और इस वक्त लोड 806 है । इस तरह से पूरे आकडे मेरे पास हैं, बहुत लम्बे हैं, मैं इन्हे टेबल पर रखना चाहता हू ।

श्री ओंकार लाला बेरवा : मेरा प्रश्न पब्लिक सैक्टर और प्राइवेट सैक्टर में अलग अलग कितने बनते हैं, यह है ।

श्री मुहम्मद शफी कुरेशी : उनका भी अलग-अलग ब्रेक -अप है ।

I will place on the Table of the House.

श्री ओंकार लाल बेरवा अध्यक्ष महोदय, ये जवाब नही देते है तो प्रश्नों का महत्व नहीं रह जाता है, supplementary प्रश्न करना बेकार है ।

अध्यक्ष महोदय : वह टेबल पर रख देगे

SHRI INDRAJIT GUPTA: May I know what are the pending orders of the Railway Board for wagons for the current year and for the rest of the Five Year Plan period pending with the wagon manufacturers in West Bengal, namely, Braithwaits, Burn & Co., Indian Standard Wagons, Texmaco and Jessops?

SHRI MOHD. SHAFI QURESHI: The total backlog with the West Bengal units as on 1-4-1975 was of the order of 14,000 units and fresh orders to the tune of 9,000 wagons would be placed on them during this year. That would make the total as 23,000 wagons. According to their present production capacity it means three years workload.

श्री डी० एन तिवारी क्या मंत्री महोदय ऐसा स्टेटमैंट टेबल पर रखेंगे जिसमें सारे देश में पब्लिक सैक्टर और प्राइवेट सैक्टर में कितनी रेटेड कैपेसिटी है, कितनी प्रोडक्शन है, और कितना आर्डर प्लेस किया है, यह पता लग सके ?

क्या सरकार ने कोई ऐसा तरीका निकाला है कि रेटेड कैपेसिटी का पूरी तरह यूटिलाइजेशन किया जा सके ?

श्री मुहम्मद शफी कुरेशी : मुझे कोई एतराज नहीं है, मैं टेबल पर रख सकता हू ।

श्री ओकिशन मोदी : पीछे श्री कुरेशी ने यह बताया था कि माल डिब्बों की हमें बहुत जरूरत है और इसकी रिक्वायरमैंट दिन-प्रतिदिन बढ़ रही है । मैं जानना चाहता हूं कि क्या उनका लक्ष्य पूरा हो गया ? क्या अभी भी वैगन्स की डिमाड है, अगर है तो कितनी है ?

श्री मुहम्मद शफी कुरेशी : अगले 5 साला मसूबे के लिये हमारी जरूरत एक लाख वैगन्स की होगी, जिसका मतलब यह है कि 20 हजार वैगन्स हमें हर साल चाहियें । लेकिन प्रोडक्शन कैपेसिटी और फंड्ज कांस्ट्रैन्ट हैं । क्योंकि फंड्स एवेलेबल नहीं हैं इसलिये इस साल की डिमाड 10,000 की होगी ।

श्री रामकंवार : हमारी कमेटी बनारस में डीज़ल इंजन बनाने के कारखाने को देखने गई थी । वहा पर मैनेजर वगैरह ने बताया कि उनकी मांग बहुत कम हो गई है जिसकी

वजह से वहां सारे मजदूर बेकार हो जायगे । इस वक्त वहां पर काम करने की क्षमता बहुत थोड़ी है । मैं जानना चाहता हूं कि मंत्री महोदय इस बारे में क्या ठोस कदम उठाने जा रहे हैं जिससे मजदूर बेकार न होने पाये ।

श्री मुहम्मद शफी कुरेशी : सवाल तो वैगन्स का है लेकिन माननीय सदस्य ने लोकोमोटिव के मुताल्लिक पूछा है । डीजल लोको वर्क्स, वाराणसी ने हाल ही में तंजानिया को कुछ इजन एक्सपोर्ट किये हैं । हमें उम्मीद है कि वहां जो इजन बनते हैं, उनके लिये फारेन मार्केट में कोई न कोई जगह जरूर मिल जायेगी ।.

SHRI RANABAHADUR SINGH: We are told that somewhere in Punjab a special type of goods wagons which have sliding roof are being manufactured which facilitates loading and unloading of heavy machinery. Are such wagons going to be released to all Indian railways instead of exporting them? If so, when?

SHRI MOHD. SHAFI QURESHI: We have no information as to which unit in Punjab is manufacturing such special type of wagons. I will make enquiries and let you know.

श्री राजेन्द्र प्रसाद यादव : एक तरफ तो मंत्री महोदय ने बताया कि देश में जितनी डिब्बों की जरूरत है, उस को पूरा नहीं कर पायेंगे और दूसरी तरफ बताया कि डिब्बे बनाने वाली जो इंन्डस्ट्रीज और फैक्टरीज हैं वह अपनी कैपेसिटी से बहुत कम बना रही हैं । इस स्थिति में सुधार करने के लिये क्या सरकार कोई कदम उठायेगी ।

श्री मुहम्मद शफी कुरेशी : जैसा कि मैंने कहा कि इंडस्ट्रीज अपनी कैपेसिटी का पूरा इस्तेमाल नहीं कर रही हैं । उन्होंने 24 हजार की इंडस्ट्री इंस्टाल्ड कैपेसिटी के मुकाबले में 10 हजार वैगन्स प्रोड्यूस किये हैं । उसके लिये खुद इंडस्ट्रीज को मेहनत करनी पड़ेगी ताकि वे बाहर के मार्केट में स्टैंड कर सकें और वहां अपना माल बेच सकें । हम कोशिश करते हैं कि इंडस्ट्रीज को कायम रखा जाये, उसमें रिट्रैचमैंट कम-से-कम हो ।

Gang of Defrauders earning Refund Money on used Tickets uncovered at Dadar Station

*280. SHRI HARI SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether in the first week of January, 1976 the Railway Police at Dadar Station on Central Railway have uncovered a gang of defrauders who have been earning refund money on used tickets; and

(b) if so, on which stations of Central Railway the above gang was operating?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A statement is laid on the Table of the Sabha.

Statement

(a) No such case was detected in the first week of January, 1976. However, on 23-12-75, one person who tried to obtain refund on three used 2nd Class Mail/Express tickets ex-Dadar to Pune was apprehended and made over to the Government Railway Police. An associate of his, who accompanied him to Dadar Station was also made over to the Police authorities. Subsequently, on 10-1-1976, one Booking Clerk of Dadar was arrested by the Police for his suspected complicity. The G.R.P. have registered a case under sections 420, 468, 34 and 511 of the IPC and investigations are still in progress.

(b) Apparently, the gang was operating at Dadar and Pune but the exact

area of its operation will be known only on completion of the investigations.

श्री हरी सिंह : मैं जानना चाहता हूं कि दादर स्टेशन पर जो फेक टिकट का मामला सरकार ने और रेलवे पुलिस ने पकड़ा है, क्या सरकार ने इस मामले में और स्टेशन्स पर भी इन्क्वायरी की है कि जो फेक टिकट कंपनी ने बनाये थे क्या और जगह भी जारी हैं ? अगर हैं तो किस-किस स्टेशन पर और इसमें कौन-कौन मुलाजिम हैं और उनके खिलाफ क्या कार्यवाही की गई है ?

श्री मुहम्मद शफी कुरेशी : यह वाक्या दादर में ही हुआ है वहां हमने इसकी तहकीकात की है । जिन लोगों को पकड़ा गया है, उनके नाम मेरे पास मौजूद हैं । लेकिन यह भी मानना चाहिये कि जो हमारा रेलवे का अमला है वह काफी चाक-चौबन्द हो रहा है जिसने ज्यादा फ्राड को डिटैक्ट किया है । हमारी कोशिश है कि बाकी स्टेशनों पर भी निगाहबानी की जाये ?

SHRI N. K. P. SALVE: Are reports appearing in the papers that the three Ministers travel incognito to find out about ticketless travel true? If so, how many cases of frauds they have detected, and whether there have been any difficulties on account of such incognito travel?

SHRI MOHD. SHAFI QURESHI: We only go out occasionally to create some inspiration amongst the staff. The credit goes to the staff who ultimately catch these culprits.

श्री हरी सिंह : क्या सरकार ने गंभीरता से कुछ सोचा है कि इस तरह के वाकयात न हो पाय । इसकी एक वजह यह है कि जब मुसाफिर टिकट देकर बाहर जाता है तो उस वक्त इतनी भीड़ होती है कि टिकट लेने वाला देखता ही नहीं है कि टिकट असली है या नकली । मैं जानना चाहता हूं कि इस बुराई को रोकने के लिये सरकार ने क्या कोई योजना बनाई है ? अगर हां, तो उसका प्रारूप क्या है ?

श्री मुहम्मद शफी कुरेशी : जब से ऐसे वाक्यात हमारे नोटिस में लाये गये हैं कि इस्तेमाल शुदा टिकटों को रिफन्ड मांगा जाता है, तब से तमाम स्टेशनों को हिदायत की गई है कि एहतियात से काम करें और ऐसे लोगों के खिलाफ कार्यवाही करें जो ऐसे काम में लगे हुए हैं ।

WRITTEN ANSWERS TO QUESTIONS

Trains running in Saurashtra Region

*267. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the fact that most of the trains in the Saurashtra region of Gujarat are running with slow speed, inadequate coal and water supply and imperfect or out of date railway operational facilities and equipment causing several hardships to passengers and traders in the entire region; and

(b) if so, the remedial steps being taken by Government to improve the situation?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Sir, the maximum permissible speed of main line passenger carrying trains in Saurashtra region ranges from 65 KMPH to 75 KMPH on metre gauge, which is comparable with other metre gauge sections on Indian Railways. There is at present no shortage of coal or water supply or imperfect or out of date railway operational facilities and equipment which might cause hardships to passengers.

(b) Does not arise.

Agreement reached by OPEC to control Price discounts

*270. SHRIMATI SAVITRI SHYAM Will the Minister of PETROLEUM be pleased to state

(a) whether Government are aware that oil-exporting nations have reached an agreement very recently to control price discounts that have marginally lowered the cost of some types of petroleum,

(b) if so, the main features of the agreement,

(c) the countries which had participated in the said OPEC meeting, and

(d) what benefit will be derived by India from that agreement?

THE MINISTER OF PETROLEUM (SHRI K D MALAVIYA) (a) According to our information, a meeting of OPEC Oil Ministers had been convened on December 20, 1975 in Vienna to discuss quality differentails in oil pricing

Before any decision could be arrived at on differentials, the meeting was cut short by an attack leading to the hijacking and subsequent release of several OPEC Oil Ministers

(b) to (d) Do not arise

Enquiries pending under Section 10 of M.R.T.P Act

*271 SHRI SOMNATH CHATTERJEE Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) how many enquiries are pending before the MRTP Commission under Section 10 of the Monopolies and Restrictive Trade Practices Act; and

(b) on what basis such enquiries were initiated and, for how long the same have been pending?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE) (a) As on 31-12-1975 110 inquiries instituted under section 10 of the M R T P Act, 1969 were pending before the M R T P. Commission.

(b) Inquiries are instituted by the Commission in the circumstances mentioned in sub-clauses (i) to (iv) of clause (a), or in clause (b) of section 10 of the Act, to which attention is invited Of the pending inquiries 4 relate to those instituted in the year 1972, 5 to 1973, 7 to 1974 and the remaining 84 to 1975

Re-instatement of Employees on South Eastern Railway

*274 SHRI D K PANDA Will the Minister of RAILWAYS be pleased to state

(a) the number of employees in the South Eastern Railway who are not yet reinstated though the Police cases in connection with the last Railway strike have been disposed of in their favour, and

(b) what measures are contemplated to be taken with regard to their reinstatement?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) Nil

(b) Does not arise

Oil Exploration in Bombay High Area

*275 SHRI TRIDIB CHAUDHURI: Will the Minister of PETROLEUM be pleased to state

(a) the number of offshore drilling platforms in operation and likely to be in operation in Bombay High area; and

(b) the number and names of offshore exploration vessels now in commission and likely to be commissioned?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) and (b). ONGC's jack-up platform "Sagar Samrat" has been deployed in Bombay High for development drilling In addition, ONGC has also charter-hired a second jack-up platform, "Shenandoah" for intensifying development drilling from March this year

ONGC has charter hired "Haakon Magnus", a semi submersible rig and "Dalmahoy", a drillship and these two rigs are also drilling in Bombay High

ONGC's seismic survey vesesl "Anweshak" is currently surveying parts of offshore area off the coast of Saurashtra

Besides production sharing contracts have been awarded for the Kutch Bengal-Orissa and Cauvery offshore basins to the Reading and Bates Group Carlsberg India Group and Asamera Group respectively The two drill ships "E W Thornton" and "Fredricksburg" engaged by the contractors are carrying out exploratory drilling operations in the Kutch and Bengal-Orissa offshore basins respectively In the Cauvery offshore, a seismic survey vessel Riocontas' engaged by the Asamera Group is currently carrying out seismic surveys Further exploratory drilling in this area will depend on the results of these surveys

टिकट निरीक्षण कर्मचारियों (पूर्वोत्तर रेलवे) को वर्दियों की सप्लाई

277 श्री भोला मांझी क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्दियों सबधी समिति द्वारा की गई सिफारिशों के अनुसार पूर्वोत्तर रेलवे में टिकट निरीक्षण कर्मचारियो को वर्दियों सप्लाई की जा रही है ;

(ख) क्या इन कर्मचारियों की वर्दियों सबधी सुविधा मे और कटौती की गई है ; और

(ग) यदि हा, तो इसके क्या कारण है ?

रेल मत्रालय में उप मंत्री (श्री बूटा सिंह) :

(क) जी हा ।

(ख) जी नही ।

(ग) प्रश्न नही उठता ।

Drilling at Bakultala

*281 SHRI SAKTI KUMAR SARKAR Will the Minister of PETROLEUM be pleased to state

(a) whether drilling at Bakultala in West Bengal has started, and

(b) if so, the facts thereof?

THE MINISTER OF PETROLEUM (SHRI K D MALAVIYA) (a) Yes, Sir.

(b) The drilling of the first well at Bakultala in West Bengal commenced on 12 8 1975 and is continuing As on 8-1-1976, the well had been drilled to a depth of 3131 metres against a projected depth of 3500 metres

Electrification/Dieselisation on Central Railway

284. SHRI DHAMANKAR Will the Minister of RAILWAYS be pleased to state

(a) whether Government have decided to go in for further electrification and dieselisation on the Central Railway;

(b) if so, the salient features thereof;

(c) whether Government of Maharashtra has made any suggestion in this regard; and

(d) the reaction of his Ministry thereto?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). There are at present no further electrification proposals on the Central Railway under consideration of the Government. As regards further dieselisation, the same will be undertaken as and when required based on the traffic requirements and availability of diesel locomotives.

(c) No, Sir.

(d) Does not arise.

Production of Nitrogen by Public Sector Fertilisers Units

*285. SHRI RAJDEO SINGH: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the total production capacity of six public sector fertilizers units; and

(b) if they are running below capacity, whether it is proposed to go for more units instead of gearing the existing units to the level of their rated capacity?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The six public sector fertilizer units mentioned in part (a) of the question presumably refer to the six operating units of the Fertilizer Corporation of India Ltd. (FCI), *viz.*, Sindri, Nangal, Trombay, Gorakhpur, Namrup and Durgapur. In addition to these FCI units, five units in the public sector are also operating in the country. The installed capacities and production performance of all these units during the periods April to December 1975 and April to December 1974 were as under:

(Figures in '000 tonnes)

Name of unit	Annual installed capacity	Production	
		April—December 1975	April—December 1974
FCI			
Sindri	90	33·3	37·7
Nangal	80	55 5	30·0
Trombay	81	48·0	43 2
Gorakhpur	80	39·1	54·1
Namrup	45	31·8	28·8
Durgapur	152	22·0	7·8
Total—FCI units	528	229·7	201·6

Name of unit	Annual installed capacity	Production April—December, 1975	Production April—December, 1974
OTHERS			
Udyogmandal	82	32·4	25·8
Cochin	152	48·7	24·5
Rourkela	120	53·8	42·0
Neyveli	70	13·9	11·7
Madras	164	106·9	48·0
TOTAL PUBLIC SECTOR	1136*	497·4*	364·8*

*Includes fertilizer production as by-products in public sector.

It will be seen from the above that the operating units of the FCI between them achieved an overall *pro rata* capacity utilisation of 58.5 per cent during the period April-December 1975, as compared to a capacity utilisation of 51 per cent during the corresponding period of last year. These units include the old and ageing plant at Sindri, as also Durgapur which has not so far been able to stabilise production at a satisfactory level. Excluding the performance of these two units, the capacity utilisation of the other four uits of the FCI, viz., Nangal, Gorakhpur, Trombay and Namrup would be about 81 per cent during this year. This is indeed a good achievement and compares favourably with the performance of plants elsewhere.

8. The fertilizer industry has already achieved a production of 1.14 million tonnes of nitrogen and the year is expected to end with a total production of about 1.5 million tonnes, as against 1.18 million tonnes during 1974-75. This increased production has come mainly as a result of the improved performance of the public sector plants and continuing efforts are being made to further improve the performance of all the plants with a view to optimising their capacity utilisation. These include renovation/modernisation/debottlenecking and other measures.

4. These measures would not by themselves help augment indigenous availability of fertilizers beyond a point and there is need for development of additional capacity to meet adequately the growing requirements of fertilizers in the country. It is in this context that a large-scale programme is under implementation in the public, private and cooperative sectors for creation of additional fertilizer capacity.

Railway Employees decision to have one Union in one Industry

1185. SHRIMATI ROZA DESHPANDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the decisions of the railway employees to have one union in one industry; and

(b) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). There have been occasional expressions from Employees' Organisations favouring th ing the principle of "One Union in one Industry". Government is also in favour of this principle and will welcome the different employees' organi-

sations coming together and merging into one Union in one Industry.

Railway Service Commission for South Central Railway in Andhra Pradesh

1186 SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state whether a decision has been taken by Government to have a separate Railway Service Commission for South Central Railway in Andhra Pradesh?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): The demand for a separate Railway Service Commission for South Central Railway, has been accepted in principle. Due to the present financial stringency and the consequent restrictions imposed on the creation of additional posts, the implementation of this decision has been deferred.

Improvement of Naupada-Gunupur Narrow Gauge Line (South Eastern Railway)

1187. SHRI GIRDHAR GOMANGO: Will the Minister of RAILWAYS be pleased to state

(a) whether his Ministry has provided any funds for the improvement of narrow gauge line Naupada-Gunupur under South-Eastern Railway in Fifth Five Year Plan;

(b) if so, the progress of the work and money already spent for the same in the year 1974-75; and

(c) the provision for the year 1975-76 for the improvement of this line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). Yes.

(b) A sum of Rs. 2.08 lakhs was spent in 1974-75. The work of rail renewals of 33.8 kms. has been completed. Sleeper renewals of 56 kms. in patches is in progress.

(c) Rs. 3.01 lakhs.

Progress and Expenditure on Metropolitan Transport (Railway) Projects

1188. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the Metropolitan Transport (Railway) projects which have been sanctioned and where the work is in progress alongwith the estimated cost of each one of the projects;

(b) the likely date of the completion of each one of the projects; and

(c) whether the State Governments concerned have also offered to share the expenditure of these projects and the extent to which they would share it in each case?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Barring Calcutta's Dum Dum—Tollyganj Rapid Transit line, no other construction work has yet been sanctioned. The revised estimated cost of this line is Rs. 250 crores. The construction work is in progress near Dum Dum and also in the Maidan area.

Budget provision exists for construction of the Raoli Jn. Fort Market Line (Phase I of Bombay's Corridor 6 Projects) being taken up in the current year as soon as the Project is cleared by the Government.

For Delhi and Madras, only techno-economic feasibility studies for possible Rapid Transit System had been sanctioned and the study reports finalised.

(b) The original target date of 1979 for the Calcutta Project is under review as due to the resources constraint and higher cost estimates adequate allocation of funds so far has not been possible.

Unless the construction work is sanctioned and adequate outlays are provided, the target date for the Bombay Project cannot be specified at the moment.

(c) The question of sharing of operational losses if any would arise, is now under discussion with the West Bengal Government only, who have been requested to provide State Government's land and properties standing thereon free of cost for the Project. No decision has been reached yet.

Employees dismissed or retired prematurely during the last six months

1189. SHRI SAMAR GUHA Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state.

(a) whether any employees of the Company Affairs Department have been dismissed or prematurely retired during last six months of the Emergency; and

(b) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA) (a) and (b). Notices of premature retirement have so far been issued to six employees of the Department of Company Affairs. Two of them belong to Group 'A' (Class I), one to Group 'C' (Class III) and the remaining three to Group 'D' (Class IV).

अहमदाबाद तथा फैजाबाद के बीच चलाई जाने वाली नई गाड़ी

1190 श्री भागीरथ भंवर : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) अहमदाबाद तथा फैजाबाद के बीच चलाई जाने वाली नई गाड़ी एक्सप्रेस होगी;

(ख) वह गाड़ी किस-किस स्टेशन पर रुकेगी; और

(ग) क्या इस गाड़ी में वातानुकूलित तथा प्रथम श्रेणी के डिब्बे होंगे ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) :

(क) जी हा ।

(ख) एक विवरण सभा पटल पर रखा है । [ग्रन्थालय में रखा गया । देखिये सख्या LT–10235/76]

(ग) अहमदाबाद-फैजाबाद/वाराणसी - साबरमती एक्सप्रेस में पहले दर्जे की व्यवस्था हे न कि पहले दर्जे के वातानुकूल स्थान की ।

खेप तथा वैगनों की बुकिंग के लिए (रतलाम डिवीजन) सुविधाएं उपलब्ध न होना

1191. डा० लक्ष्मी नारायण पांडेय : क्या रेल मत्री यह बताने की कृपा करेंगे कि

(क) क्या व्यापारियों ने पश्चिम रेलवे के रतलाम डिवीजन के विभिन्न रेलवे स्टेशनों पर छोटी खेपों तथा वैगनों के लिए उचित सुविधाए उपलब्ध न होने के बारे मे शिकायत की हैं,

(ख) क्या अमनौर पर प्रत्येक स्टेशन के लिए छोटी खेपों का कोई कोटा निर्धारित किया गया है परन्तु उसका प्रबन्ध भिन्न-भिन्न हैं, और

(ग) यदि हा तो इस कठिनाई को दूर करने के लिए क्या कार्यवाही की गई है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह):

(क) जी नही ।

(ख) जी नही ।

(ग) प्रश्न नहीं उठता ।

Construction of Apta-Mangalore Konkan Railway

1192. PROF. MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state:

(a) what is the progress of the construction of Apta-Managlore Konkan railway; and

(b) when is the construction of the entire route expected to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Final Location Survey from Apta to Dasgaon portion of the Apta-Mangalore rail link, has been completed and the reports are under examination. Final Location Survey between Dasgaon and Ratnagiri including spot checks between Ratnagiri and Mangalore is in progress. A decision about taking up this project for construction will be taken after the examination of the survey reports and depending upon the availability of funds.

M/s. Bird and Company, Calcutta

1193. SHRI INDRAJIT GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is a proposal by two Directors of M/s. Bird and Co., Calcutta to acquire 49 per cent of the Company's shares for a cash payment of over Rs. 20 lakhs; and

(b) whether the Company Law Board has taken any steps to safeguard the interests of the members of Bird and Co's Trust Fund, who are the existing shareholders of the Company?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Sarvashri A. Basu and Shanker Ghosh, two directors of M/s. Bird & Co. Ltd., Calcutta, had submitted applications under Section 108A of the Companies Act, 1956 for approval of the Central Government for acquisition of 11206 equity shares by each of them out of the total of 45,005 equity shares of Rs. 100 each at the rate of Rs. 175.00 per share. The applications have since been withdrawn by both the directors concerned.

(b) The Company Law Board has decided to issue a notice to the company asking it to show cause as to any Government directors should not be appointed on the Board of Directors of Bird & Co. Ltd. pursuant to Section 408 of the Companies Act, 1956 to prevent the affairs of the company being conducted in a manner prejudicial to public interest, prejudicial to the interest of the Company and oppressive to the members of the Company. The Company Law Board will take further action on receipt of the reply to the notice from the Company.

खंडवा–अजमेर मीटर गेज लाइन को ब्राड गेज लाइन में बदलना

1194. श्री गंगा चरण दीक्षित : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश सरकार खंडवा-अजमेर मीटर गेज लाइन को ब्राड गेज लाइन में बदलने के कार्य में सहयोग देने को सहमत हो गई है; और

(ख) यह कार्य कब तक प्रारम्भ किया जायेगा ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) और (ख) खंडवा-अजमेर मीटर लाइन के बडी लाइन में बदलाव का कोई प्रस्ताव अभी विचाराधीन नहीं है । मध्य प्रदेश राज्य सरकार ने भी इस बदलाव परियोजना को शुरू करने के बारे में कोई रुचि नहीं दिखायी है ।

तथापि, दिल्ली, अहमदाबाद मीटर लाइन के बड़ी लाइन में बदलाव से सम्बन्धित योजना के एक भाग के रूप में अजमेर-खंडवा मीटर लाइन के अजमेर से चित्तौड़गढ़ तक के हिस्से के समानान्तर बड़ी लाइन बिछाने के लिए एक सर्वेक्षण किया गया था। सर्वेक्षण की रिपोर्ट विस्तृत जांच हो जाने के बाद तथा धन उपलब्ध होने पर इस परियोजना को शुरू करने के बारे में विनिश्चय किया जायेगा।

Termination of Cooking Gas and Petrol Agencies

1195. SHRI VAYALAR RAVI Will the Minister of PETROLEUM be pleased to state the total number of agencies of Cooking gas, Petrol and Kerosene terminated in the last three years by the Indian Oil Corporation and its State-wise break-up?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI) The total number of Retail outlets, kerosene/ LDO dealerships and LPG distributorships terminated by IOC during the last three years are given below State-wise:

	State	Retail outlet dealerships	Kerosene/ LDC dealerships	LPG dealerships
1.	Maharashtra	3	7	.
2.	Gujarat	5	3	1
3.	Madhya Pradesh	1	2	2
4.	Delhi (Union Territory)	2	2	..
5.	Uttar Pradesh	3	1	2
6.	Punjab	2	.	..
7.	Haryana	..	2	..
8.	Rajasthan	1		..
9.	Bihar	1	3	..
10.	Orissa	1	2	..
11.	West Bengal	1	9	..
12.	Tamil Nadu	1	3	2
13.	Kerala	2	..	1
14.	Karnataka	..	1	..
15.	Andhra Pradesh	.	4	..

Distribution of Life-Saving Drugs in Rural Areas

1196. SHRI N. K. SANGHI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have since drawn up a plan for the distribution of life-saving drugs in the rural areas along with other things of necessities at a reasonable rate;

(b) if so, the broad features of the plan drawn up; and

(c) when this will be implemented?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI). (a) to (c). Government are considering the question of conversion of some of the existing petroleum retail outlets into multipurpose distribution centres for the supply of essential commodities in areas which are backward and at places which are reasonably within poor environment. The items proposed to be stocked and sold by such multi-purpose distribution centres include Controlled Cloth, Bicycle tyres, scooter tyres, soap, drugs etc. It is proposed to set up about 400 such distribution centres out of which 2, one at Bahalgarh in Sonepat District in Haryana and the other at Jagdishpur in Jaunpur District in Uttar Pradesh have already come into existance and arrangements have already been made to handle various consumer requirements.

2. A scheme of the Ministry of Health and Family Planning aimed at making available at reasonable prices essential house-hold remedies to the rural population, particularly to the people residing in remote areas has been included in the Fifth Five Year Plan. It is proposed to initiate the scheme in 1976-77, subject to the availability of funds.

3. Government is also giving careful consideration to the recommendations of the Committee on Drugs and Pharmaceuticals which submitted its Report on 8-4-1975, with a view to adopting an integrated approach on the various facets of the drug industry. Government will take a decision on the recommendations of the Committee, shortly.

Short Supply of Cooking Gas.

1197. SHRI SAROJ MUKHERJEE: SHRI SAKTI KUMAR SARKAR.

Will the Minister of PETROLEUM be pleased to state:

(a) what is the present price of cooking gas and what are the causes of the recent increase in its price;

(b) the causes of short supply of gas throughout the country and the steps taken to remedy this short supply; and

(c) the objective basis on which the supply position of L.P.G. is likely to improve during 1976?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI) (a) The present retail selling prices of cooking gas in the four metro-politan cities are given below —

City	Quantity of gas	Price/Rs.
Calcutta	15 Kg	33·31
Madras	15 Kg	29·36
Bombay	14 2 Kg	26·75
Delhi	15 Kg.	32·62

The recent increase in the basic ceiling selling price of cooking gas effective 1-12-1975, was due to the increase in the cost of imported crude oil following the decision of the Organisation of Petroleum Exporting Countries (OPEC) to increase the FOB cost of their crude oil by about 10 per cent.

(b) and (c). The present demand of LPG is far in excess of its production from refineries. Several steps are however being taken to increase the production and marketing arrangements for LPG. These include the following:—

(i) Maximising the yield of LPG from the refineries.

(ii) Import of spiked crude to meet unavoidable variations in LPG production and demand.

(iii) Import of steel for fabrication of gas cylinders. At present, there is no shortage of cylinders to meet the existing demand or to provide for the expansion plans of the oil companies.

(iv) Augmenting the fleet of tank trucks and tank wagons for bulk movements of LPG.

(v) Setting up of a new bottling plant at Kanpur and increasing the capacity of the existing bottling plant at Shakurbasti, Delhi.

(vi) Providing additional loading and unloading facilities for tank wagons at Koyali and Shakurbasti.

(vii) Removal of transportation and other operational bottlenecks.

As a result of these measures, and particularly with additional LPG availability from Haldia refinery and improved transportation arrangements of bulk LPG from Koyali and other refineries, it is expected that the LPG supplies will increase further in 1976. In 1975, LPG supplies increased by about 24.8 per cent over 1974.

Production and Sale of Janta Drugs

1198. SHRI ISHAQUE SAMBHALI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state.

(a) whether the Indian Hospitals Association has asked for early production of "Janta Drugs" and its distribution through "Janta" chennels for the benefit of the poor as recommended by the Hathi Committee; and

(b) if so, the reaction of the Government thereto?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI). (a) and (b). Government have seen the Reports published in various newspapers and also the speeches made by various persons during the 15th Annual Convention of the Indian Hospital Association held on the 29th November, 1975, at Maulana Azad Medical College, New Delhi. The convention have given the concept of "Janta Drugs" to the 117 drugs identified by the Committee on Drugs and Pharmaceutical Industry for mass production and distribution through "Janta Chennels".

The Committee on Drugs and Pharmaceutical Industry submitted its report on various facets of the drug industry to the Government on 6th April, 1975. The important recommendations of the Hathi Committee relating to production programme concern:

(i) Increasing the production of bulk drugs required for producing 117 essential formulations identified by the Committee for mass consumption and

(ii) Assigning of relevant line of production to the Public Sector, the Indian Sector and the multinational sector.

The important recommendations of the Hathi Committee on distribution of drugs, drug formulation are as follows:

"(i) Distribution systems in the Public Sector should make use of unconventional agencies such as Primary Health Centres, Panchayats, Dispensaries, Post Offices, Petrol and Kerosene Sales Depots etc for the distribution of house-hold remedies There is need to evolve a wide distribution system suited to our own socio-economic, ecological conditions

(ii) Besides making the country self-sufficient in regard to drugs, medical service of a rudimentary nature in the remote village should be introduced, where common house-hold remedies for cough, cold, fever, antacid preparations etc, should be made available in pilferproof packing sufficient to meet 3 4 days treatment

(iii) To make these drugs available in rural areas, the distribution system must be rationalised and decentralised, in regard to house-hold remedies and commonly used medicines which do not require the prescription of doctors Assistance should also be sought from the postal department, Indian Oil Company Depots Kerosene depots Cooperative Societies should be encouraged for the distribution of drugs in rural areas

Government are considering the question of conversion of some of the existing petroleum retail outlets into multipurpose distribution centres for the supply of essential commodities in areas which are backward and at places which are reasonably within poor environment The items proposed to be stocked and sold by such multi purpose distribution centres include Controlled Cloth, Bicycle tyres, scooter tyres, soap, drugs etc. It is proposed to set up about 40 such distribution Centres out of which 2, one at Bahalgarh in Sonepat Dilstrict in Haryana and the other at Jagdishpur in Jaunpur District in Uttar Pradesh have already come into existence and arrangements have already been made to handle various conseumers requirements

A scheme by the Ministry of Health and Family Planning aimed at making available at reasonable prices essential house-hold remedies to the rural population particularly to the people residing in remote areas has been included in the Fifth Five Year Plan. It is proposed to initiate the scheme in 1976-77 subject to the availability of funds

Government is giving careful consideration to the recommendations made by the Hathi Committee and will take an integrated view on the various recommendations shortly

Casuel, Temporary and Contract Labourers in Railway Caterings

1199 DR RANEN SEN
SHRI C K CHANDRAPPAN:

Will the Minister of RAILWAYS be pleased to state

(a) whether there are still many casual, temporary and contract labourers in the catering service of the Railways;

(b) if so, the number of each category, zone-wise,

(c) whether any representations have been made to make them permanent and to improve their conditions of work, and

(d) if so, the decisions taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) to (d) Information is being collected and will be laid on the Table of the Sabha

Fertilizer Corporation of India

1200. SHRI S A MURUGANANTHAM Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether the Fertilizer Corporation of India is planning to enter new areas of production; and

(b) if so, the salient features thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P C SETHI) (a) and (b) The Fertilizer Corporation of India is already engaged in the manufacture of a wide range of industrial chemicals and gases in addition to a variety of nitrogenous and phosphatic fertilizers The industrial products manufactured and marketed by the F C I include methanol nitric acid, sodium nitrite sodium nitrate ammonium Bicarbonate Methyal Amines and Carbon Black explosives grade, ammonium nitrate, argon gas and liquid ammonia etc The Corporation is also presently setting up facilities for the manufacture of soda ash at Haldia

Proposal for Increase in the Prices of Important Drugs

1201 SHRI PRIYA RANJAN DAS MUNSI Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether the prices of few important drugs of Pfizer Lederle (cynamide) and Parke Davis have been increased without the knowledge of his Ministry during the emergency, and

(b) whether any comparative study has been made to find out why the rates of few drugs of these companies are fixed many times higher than the cost price?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P C SETHI) (a) and (b) Prices of drugs are statutorily controlled under the Drugs (Prices Control) Order, 1970. However, units having sales turnover not exceeding Rs 50 lakhs per annum have been exempted from taking Government s approval for revision/fixation of prices of their products

The said order provides that the prices of bulk drugs and formulations once fixed in accordance with the provisions thereof shall not be increased except with the approval of the Central Government The prices are fixed on the basis of cost investigation by the Bureau of Industrial Costs and Prices keeping in view the cost structure and the reasonable margin for the profit

While no increase in prices of bulk drugs and formulations have been allowed by the Government to M/s Lederle (Cyanamide I td) after the proclamation of emergency M/s Parke Davis and Pfigers Ltd have been allowed increases in the prices of following bulk drugs and formulations —

BULK DRUGS

Name of the Co	Name of the Bulk drugs	Farlier Price	Price now fixed by the Govt
		Rs. per kg.	Rs per kg.
1 Parke Davis	Ammodiaquin Hcl.	282 72	358 oc
2. Pfizers	PAS Sodium	53 29	58 oo (effective from 31-12-75)

FORMULATIONS

Name of the formulation	Pack size	Earlier price	Revised price
M/s Parke Davis (I) Ltd			
Benadryl capsules	100 caps.	7 97	9 46
Ferradol	454 gm	8 15	8 31
Do	1 25 kg	20 48	21 78
Citralka Liquids	114 ml	3 10	3 56
Do	456 ml	9 40	10 85
Benadryl Expectrant	114 ml	14 20	14 62
Do.	456 ml.	5 90	6 00
Paladec	114 ml	5 90	6 00
Livibron	228 ml	6 13	7 76
Dicalphos Liquid	170 ml	NEW	6 05
Dricalphos tabs	10 T	NEW	1 31
Chemoquin tablets	10 T	New pack	1 68
Pfizer Ltd	N I L		

The above prices have been revised in accordance with the provisions of Drugs (Prices Control) Order 1970

Renaming of Cheruthuruthi Railway Station

1202 SHRI C K CHANDRAPPAN Will the Minister of RAILWAYS be pleased to state

(a) whether Government had rejected a proposal to rename "Cheruthuruthi Railway Station" after "Maha Kavi Vallathol", and

(b) the reasons for rejection of this proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No However a proposal for renaming 'Vettikkattiri" Railway Station as Vallathol Nagar was received and the same is under consideration

(b) Does not arise

Cases of dacoities between Delhi and Southern States

1203 SHRI M KALYANASUNDARAM Will the Minister of RAILWAYS be pleased to state

(a) whether Government's attention has been drawn to the increase in the cases of dacoities in trains running between Delhi and Southern States of the country,

(b) if so, the number of such cases during the year 1975 and how does it compare with the figures of the previous year, and

(c) steps proposed to be taken to check such cases?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Some cases have

been brought to the notice of the Government.

(b) Complete information is being collected from the State Governments concerned and will be laid on the table of the Sabha.

(c) Following security and safety measures already exist in this regard:

1. Escorting of important Mail and Express Trains by Government Railway Police;
2. Detailing of plain-cloth Government Railway Police staff on affected Sections;
3. Assistance of Railway Protection Force for escorting duties, when needed;
4. Frequent surprise checks by Government Railway Police supervisory staff;
5. Safety devices in coaches are strengthened where required; and
6. Co-ordination Meetings among Government Railway Police, State Police and Railway Protection Force.

Dieselisation of Meerut Shuttle Trains

1204. SHRI PRABODH CHANDRA: Will the Minister of RAILWAYS be pleased to state:

(a) whether most of the shuttle trains of Northern Railway have since been dieselized; and

(b) if so, the reasons for not providing diesel engine to 2 NM and 1 NM Meerut shuttle trains?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Dieselisation of 1NM/2NM New Delhi-Meerut City shuttle is at present not feasible due to non-availability of spare diesel engines.

Introduction of Jute Special between Calcutta and Jogbani

1205. SHRI H. N. MUKERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether North-East Frontier Railway has decided to introduce a "Jute Special" between Calcutta and Jogbani; and

(b) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Metre Gauge wagons are supplied for loading jute consignments at Jogbani and moved in block rakes to Katihar where the contents are transhipped into Broad Gauge wagons. After transhipment, the broad gauge wagons are moved as a block rake to Kidderpore Docks. The average transit time from loading at Jogbani to arrival in Kidderpore Docks is about five days.

This scheme has been conceived and brought into effect mainly with a view to provide quick rail transport facilities for Jute exports *via* Calcutta Port.

Representation regarding supply of Sulphuric Acid from West Bengal

1206. SHRI A. K. KISKU: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether his Ministry has received any representation from the small units in Bengal about the difficulties in getting adequate quantities of sulphuric acid at reasonable prices; and

(b) if so, the action taken in the matter?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir. The Ministry

had received a representation from the small scale units in West Bengal in this regard

(b) The position was reviewed at a meeting held jointly with the representatives of the manufacturers and the consumers The manufacturers were advised to make special efforts to meet the sulphuric acid requirements of the small scale units Even though the sulphuric acid price is not statutorily controlled they were also advised to agree on a price which would be fair to both the parties

पटना के निकट दीघा पर रेल पुल

1207 **श्री रामावतार शास्त्री :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या गंगा नदी पर रेल पुल बनाने के सम्बन्ध में सर्वेक्षण कार्य बहुत पहले पूरा हो चुका है

(ख) क्या विशेषज्ञों ने रेल पुल के लिये पटना के निकट दीघा को सबसे उपयुक्त स्थल माना है, और

(ग) यदि हां, तो पुल निर्माण का कार्य को प्रारम्भ करने में विलम्ब के क्या कारण है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) से (ग) सम्भावित स्थलों का प्रारम्भिक सर्वेक्षण किया गया है और सबसे उपयुक्त स्थल पर पुल का निर्माण करने की तकनीकी व्यावहारिकता निश्चित करने के लिए मॉडल अध्ययन किये जा रहे हैं और दीघा के निकट का स्थल विचाराधीन वैकल्पिक स्थलों में से एक है । विभिन्न स्थलों का मॉडल अध्ययन अभी पूरा नहीं हुआ है ?

Engineering-cum-Traffic survey of Roha-Agardanda branch of Apta-Dasgaon Railway

1208 SHRI SHANKERRAO SAVANT Will the Minister of RAILWAYS be pleased to state

(a) whether the Railway Board had undertaken a preliminary engineering-*cum*-traffic survey of the Roha-Agardanda branch of Apta-Dasgaon Railway (Konkan Railway); and

(b) if so, the result of the survey?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) Preliminary Engineering-*cum*-traffic survey from Roha on the Apta-Dasgaon line to Agardanda is in progress and is expected to be completed shortly A decision regarding its construction will be taken after the report is received and examined

Foreign Interests in Petroleum Industries in India

1209 SHRI BHOGENDRA JHA Will the Minister of PETROLEUM be pleased to state the latest position with regard to foreign economic interests in India in industries firms and concerns connected with petroleum?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI) Government intend acquiring effective control over the oil industry The assets and operations of Esso in India were acquired in 1974 The operations of Burmah Shell have already been taken over on 24th January, 1976

Negotiations regarding the take over of the assets and operations of Caltex Assam Oil Company and Oil India Limited are in progress

Introduction of Electronic Aids for Rail Testers

1210. SHRIMATI PARVATHI KRISHNAN: Will the Minister of RAILWAYS be pleased to state whether Government have introduced electronic aids to maintain rail testers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): Yes; Railways are using Ultrasonic Rail Testers with electronic equipment to detect flaws in rails, and Track Recording Cars and Oscillograph Cars, using electronic equipment, for measurement of track parameters.

रेलवे वासे आयोगों में रिक्त पड़े अध्यक्षों के पद

1211. **श्री पन्ना लाल बारुपाल :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) रेलवे सेवा आयोगों में अध्यक्षों के कितने पद रिक्त पड़े है ; और

(ख) इन रिक्त पदों को कब तक भरने का विचार है ?

रेल मंत्रालयमें उप मंत्री (श्री बूटासिंह): (क) और (ख) : कोई पद रिक्त नहीं पड़ा है । लेकिन रेल सेवा आयोग, इलाहाबाद के अध्यक्ष की सेवावधि 15 अक्तूबर, 1975 को समाप्त हो जाने के बाद वे अस्थायी तौर पर अभी वहां काम कर रहे हैं । इलाहाबाद के रेल सेवा आयोग के अध्यक्ष पद पर नियुक्ति के लिए प्रत्याशी के चयन के सम्बन्ध में कारवाई प्रारम्भ की जा चुकी है ।

Report of Loco Running Staff Grievances Committee

1212. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether Loco Running Staff Grievances Committee headed by Minister of State for Railways had submitted its report to Government;

(b) if so, salient features of the report;

(c) whether Government have accepted all the demands of Locomen; and

(d) if so, the demands which were accepted?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). In accordance with the Statement made by the Minister for Railways in Parliament on 13-8-73, a Committee known as Loco Running Staff Grievances Committee under the Chairmanship of the Minister of State for Railways was set up to discuss certain grievances of the Loco Running Staff including the details and mode and manner of implementation of the 10-hours of duty for this category of staff. The Committee after completing its deliberations was wound up on 7-8-75. No report was required to be submitted to the Government.

(c) and (d). The various demands made by the Loco Running Staff were discussed at length. In regard to 10-hour working, it was decided to complete implementation by December 31, 1976. The pay scale of Shunters 'B' was raised to the level of that of Shunters 'A' while the pay scale of Firemen 'B' was substantially improved. In regard to medical decategorisation, the medical standards applicable to loco running staff were materially modified and this was expected to reduce the incidence of medical decategorisation. Also, 5 years weightage in respect of pension was granted in favour of medically decategoriced staff if they could not be given alternative jobs. Furthermore, it was decided to increase the scope for absorbing medically decategorised staff in alternative jobs and give them training where necessary.

Coach Washing Platforms at Itarsi

1213. SHRI M. G. UIKEY: Will the Minister of RAILWAYS be pleased to state

(a) whether the coach washing platforms at Itarsi are not in use; and

(b) if so, since when and reasons therefor?

THE DEPUTY MINISTER IN THE MINISIRY OF RAILWAYS (SHRI BUTA SINGH) (a) No Coach washing siding is in use from January 1971

(b) Does not arise

Construction of Over-Bridges at Itarsi

1214 SHRI NITIRAJ SINGH CHAUDHARY Will the Minister of RAILWAYS be pleased to state

(a) whether a decision to construct over-bridges at Itarsi on Nagpur road level crossing and on Itarsi town level crossing has been taken; and

(b) if so, when the construction works are likely to be taken in hand?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Not yet however, a proposal to construct road over-bridges on Nagpur road level crossing and on Itarsi town level crossing is under consideration

(b) This can be indicated only after the proposal is finalised and the work included in the Railway Budget

Replacement of Fuel-Oil by Naphtha for Phoolpur Plant

1215 SHRI P. GANGADEB: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there has been any increase in the availability of naphtha during the last six months from Bombay High;

(b) if so, the proposal of Government regarding replacement of Fuel-oil by naphtha as feed-stock for the Phoolpur Plant of the Indian Farmers' Fertiliser Corporation;

(c) what has been the offer of loan by the World Bank for the above said project originally based on fuel-oil, and

(d) the steps taken to obtain the approval of the World Bank for the switch-over?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI) (a) and (b) The crude from the Bombay High has not so far been processed, but the characteristics of the crude already found and analysed indicate that it would be lighter than the imported crudes which are processed in our refineries Thus, the Bombay High crude is expected to have a larger proportion of naphtha than that of imported crudes In this context, and the anticipated surplus availability of naphtha in the North-Western region the Phulpur fertilizer project has been allowed to use naphtha as feed-stock in place of fuel oil

(c) and (d) A loan of $ 109 million has been negotiated with the World Bank for the Phulpur project The World Bank has also approved the changeover of the feedstock for the project from fuel oil to naphtha

Conversion of Bangalore-Guntakal Metre Gauge Line into Broad Gauge

1216 SHRI P. ANTONY REDDI: Will the Minister of RAILWAYS be pleased to state.

(a) whether the conversion of the metre gauge line into broad gauge on Bangalore to Guntakal section has been completed; and

(b) if not, when will the work be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Construction of a parallel B.G. rail link from Guntakal to Dharmavaram and conversion of Dharmavaram to Bangalore city Metre Gauge line to Broad Gauge is in progress. The project is expected to be completed by 1980 subject to the timely availability of adequate funds.

Coal Wagons missing from Mughalsarai

1217. SHRI DALIP SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether 75 wagons of coal which were to be transferred by Eastern Railway to the Northern Railway at Mughalsarai during November, 1975 are not traceable;

(b) whether prior to this 50 wagons of coal were also found missing from Mughalsarai Station and are not yet traceable; and

(c) if so, what action Government have taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 74 loco coal wagons booked by Eastern Railway for Northern Railway loco sheds during November, 1975 are reported to have not yet been received at the destinations.

(b) Out of 50 loco coal wagons, 43 wagons have since reached Northern Railway's loco sheds.

(c) Action to trace the remaining 81 wagons is in progress.

Distribution of Essential Commodities

1218. SHRI SHANKAR DAYAL SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether sole agency or intermediary system in the distribution of several essential commodities has been abolished; and

(b) if so, the names of those commodities and its impact on the distribution system and consumer market?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). The Company Law Board has issued notifications prohibiting the appointment of Sole Selling Agents pursuant to Section 294AA(1) of the Companies Act in respect of following categories of goods:—

(i) Sugar

(ii) Vanaspati

(iii) Cement

(iv) Paper

Since the Sole Selling Agencies in respect of the above commodities have been abolished only recently, no study has yet been made by the Company Law Board in regard to the impact of the abolition of sole agency on the distribution system and consumer market.

हिन्दी भाषी राज्यों में रेल मंडलों का काम अंग्रेजी में होना

1219. डा० लक्ष्मीनारायण पांडेय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या हिन्दी भाषी राज्यों में रेल मंडलों का अधिकांश कार्य अंग्रेजी में ही होता है,

(ख) क्या विभिन्न रेलवे स्टेशनों पर आरक्षण-पत्र, शिकायत-पत्र, आरक्षण सूचना पट्ट अंग्रेजी में ही है ; और

(ग) यदि हां, तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

रेल मंत्रालय में उप-मंत्री श्री बूटा सिंह : (क) हिन्दी-भाषी राज्यों के सभी मंडलों का काम उत्तरोत्तर हिन्दी में किया जा रहा है।

(ख) जी नहीं ।

(ग) प्रश्न नहीं उठता ।

रासायनिक उर्वरक का उत्पादन करने वाले कारखाने

1220 डा० लक्ष्मीनारायण पांडेय : क्या रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि

(क) भारत में कौन-कौन से उर्वरक कारखाने रासायनिक उर्वरक बनाते हैं, और

(ख) विदेशों से उर्वरकों का आयात बन्द करने के उद्देश्य से इन कारखानों की क्षमता में वृद्धि करने हेतु सरकार ने क्या कदम उठाये हैं ?

रसायन और उर्वरक मंत्री (श्री पी० सी० सेठी) : (क) एक विवरण पत्र सभा पटल पर रखा है [ग्रन्थालय में रखा गया, देखिये संख्या एल टी– 10236/76]

(ख) वर्तमान क्षमता के उपयोग को अधिकतम करने के लिये नवीकरण, अड़चनों को दूर करने तथा आधुनिकीकरण जैसे अनेक उपाय कार्यान्वयनाधीन हैं । इसके अतिरिक्त उर्वरक के उत्पादन के लिये अतिरिक्त क्षमता का सृजन करने हेतु सरकारी, और सरकारी तथा सहकारी क्षेत्रों में एक वृहद कार्यक्रम का कार्यान्वयन किया जा रहा है । अच्छी क्षमता के उपयोग तथा क्षमता में पर्याप्त वृद्धि से बढ़े हुये उत्पादन के कारण तथा उर्वरक के देशीय उपलब्धता को कुछ कम करने में सहायक होना चाहिये ।

Utilisation of Railway Land in Rayagada Town

1221 SHRI GIRIDHAR GOMANGO Will the Minister of RAILWAYS be pleased to state

(a) whether his Ministry is aware that more than three hundred acres of Railway acquired lands in the heart of the Rayagada town and adjoining to Railway Station is lying unutilised since long, and

(b) if so, whether Government have any proposal to utilise these lands for the Railway colony, houses or offices?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) About 200 acres of Railway land is vacant at Rayagada This is earmarked for future development of Railway yard, loco Shed and Railway colony, to meet the future growth of rail traffic, anticipated in this region

Shortage of Cooking Gas

1222 SHRI SAKTI KUMAR SARKAR: Will the Minister of PETROLEUM be pleased to state

(a) the demand for cooking gas in the country,

(b) the number of gas cylinders needed to meet the demand; and

(c) the steps being taken to meet the shortage of cooking gas?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI) (a) and (b) No accurate assessment of demand

for cooking gas (LPG) has been possible because of the other alternative fuels such as coal, soft coke, charcoal, fire wood and kerosene etc. also being used as domestic fuel. However, the present demand for new connections is far in excess of the current LPG production in the refineries.

(c) Several steps are being taken to increase the production and supply of LPG. These include the following:—

(i) Maximising the yield of LPG from the refineries.

(ii) Import of spiked crude to meet unavoidable variations in LPG production and demand.

(iii) Import of steel for fabrication of gas cylinders. At present there is no shortage of cylinders to meet the existing demand or to provide for the expansion plans of the oil companies.

(iv) Augmenting the fleet of tank trucks and tankwagons, for bulk movement of LPG.

(v) Setting up of a new bottling plant at Kanpur and increasing the capacity of the existing bottling plant at Shakurbasti, Delhi.

(vi) Providing additional loading and unloading facilities for tank wagons at Koyali and Shakurbasti.

(vii) Removal of transportation and operational bottlenecks.

Cases pending in Supreme Court and High Courts

1223. PROF. NARAIN CHAND PARASHAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the number of cases pending for final disposal in the Supreme Court and each one of the High Courts in India for over (a) 7 years (b) 6 years (c) 5 years (d) 4 years (e) 3 years as on 31st December, 1975?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Information as on 31-12-1975 is not available. The available information is as on 30-6-1975. The desired break-up is given in the statement attached.

STATEMENT

S No.	Name of the High Court	3 years	4 years	5 years	6 years	7 years
1	Allahabad . . .	16141	9227	5118	4422	10796
2	Andhra Pradesh . .	751	93	8	1	1
3	Bombay	5408	4430	3139	2781	4202
4	Calcutta	5810	3898	3793	5083	14047

1	2	3	4	5	6	7
5	Gauhati	759	294	128	*245	
6	Gujarat	1509	1272	681	160	203
7	Himachal Pradesh	308	245	*319		
8	Jammu & Kashmir	172	73	43	24	53
9	Karnataka	983	208	56	5	9
10	Kerala	1205	55	4		1
11	Madhya Pradesh	4183	2055	1481	1033	1764
12	Madras .	4862	1635	709	343	222
13	Orissa .	513	181	*520		
14	Patna . .	3962	2492	1727	791	1977
15	Punjab & Haryana .	2716	2156	*7778		
16	Rajasthan	2000	1244	*1551		
17	Delhi . . .	2388	2209	1826	1343	1713
	@SUPREME COURT .	5378	3456	2141	1202	405

*Also includes cases pending for more than 6 and 7 years
Separate figures not available
@The information is as on 1-1-1976

Running of Passenger Trains on Jullundur-Jaijon Doaba Section

1224 PROF NARAIN CHAND PARASHAR Will the Minister of RAILWAYS be pleased to state

(a) whether any complaints have been received by the Railway Board regarding the unsatisfactory running of the passenger trains on Jullundur-Jaijon Doaba section of Northern Railway; and

(b) if so the nature of the complaints and the steps taken to remove them?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). No However, the punctuality performance of passenger trains running on Jullundur City Jaijon Doaba is satisfactory except in case of 1JJ and 1JRJ Every endeavour is being made to improve their running

Grant of Extension to Class I Officers

1225 PROF. NARAIN CHAND PARASHAR Will the Minister of RAILWAYS be pleased to state the names of the Class I Officers in the Zonal Railways as well as the Railway Board, who have been granted extension alongwith the period of extension and the number of times the extension has been given in each case during the past three years, including the current financial year?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): A Statement is laid on the Table of the House. [*Placed in Library. See No LT-10237/76*].

Expansion of Companies in the name of Diversification of Industrial Units

1226. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether in the name of diversification of industrial unit a large number of companies have expanded during the last two years violating the M.R.T.P. Act; and

(b) if so, whether any action has been taken against them?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) No, Sir. The diversifivation of production by undertakings registred under the MRTP Act, 1969, as duly sanctioned by the Government, did not involve any violation of the M.R.T.P. Act.

(b) Does not arise.

Management of Indian Express Group

1227. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any change in the management of Indian Express group has been made during emergency,

(b) if so, whether the financial control is still under R. P. Goenka of Indian Express group, and

(c) whether the previous cases of this particular group and C.B.I. investigations are still pending?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Yes, Sir.

(b) Shri Ram Nath Goenka and not Shri R. P. Goenka is a Director in these companies. There is no information as to whether Shri Ram Nath Goenka is still exercising financial control after the recent changes in the composition of the Board of Directors of these companies.

(c) Yes, Sir.

Malpractices in Managements of Companies under Duncan Group

1228. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of companies under Duncan Group and its management at Calcutta;

(b) whether any malpractices have been found in the management of those companies during the last three years; and

(c) whether any investigation has been made so far in those matters?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) It is presumed that the Hon'ble Member refers the companies connected with Duncan Bros & Co. Ltd. and K. P. Goenka & Sons Ltd. The number of companies considered to belong to this Group totals 27 at present.

(b) and (c). No investigation has been ordered under the provisions of the Companies Act, 1956, into the affairs of any of the companies considered to belong to the said Group. However, it has been decided to inspect the books of accounts of these companies under sections 209(4)/209A of the said Act. Contraventions of the provisions of the said Act and other irregularities noticed in the course of the inspections are being taken up with the companies, and the matters are at various stages of progress.

संयुक्त अरब अमीरात से तेल का आयात

1229 **डा० लक्ष्मीनारायण पांडे :** क्या पैट्रोलियम मंत्री यह बताने की कृपा करेंगे कि

(क) संयुक्त अरब अमीरात द्वारा भारत को वर्ष 1975-76 में कितना अशोधित तेल मुहैया किया गया ;

(ख) संयुक्त अरब अमीरात द्वारा वर्ष 1976-77 में किन शर्तों पर अशोधित तेल सप्लाई किया जायेगा तथा इसकी कीमत का भुगतान किस प्रकार किया जायेगा, और

(ग) भारत का विचार 1976-77 में अन्य किन देशों से अशोधित तेल का आयात करने का है ?

पेट्रोलियम मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी) : (क) वर्ष 1975 के दौरान यूनाइटेड अरब अमीरात द्वारा भारत को लगभग 1 मिलियन मी० टन कच्चा तेल सप्लाई किया गया।

(ख) वर्ष 1976 के दौरान यूनाइटेड अरब अमीरात से 1 मिलियन मी० टन कच्चे तेल की सप्लाई के लिये इण्डियन आयल कारपोरेशन तथा अबू धाबी नेशनल आयल कम्पनी के बीच एक ठेके पर हस्ताक्षर किये गये। इस बारे में ब्यौरे बताना इण्डियन आयल कारपोरेशन के हित में नहीं होगा।

(ग) मद्रास रिफाइनरी लि० के सम्बन्ध में 1976-77 के दौरान कच्चे तेल की आयात की आवश्यकतायें ईरान से अशोधित तेल की सप्लाई हेतु उसके द्वीपक्षीय करार के अधीन हैं। हिन्दुस्तान पेट्रोलियम कारपोरेशन को अरेबियन कच्चे तेल की सप्लाई एक्सोन के साथ उनके कच्चे तेल सप्लाई करार के अन्तर्गत है।

1976 के लिये व्यापार करार, जो भारत एवं मिस्र के साथ हुआ था, के अन्तर्गत कच्चे तेल को ऐसे मदों में से एक मद के रूप में पाया गया जिसका भारत द्वारा आयात किये जाने के बारे में विचार किया जा सकेगा। वर्ष 1976 के दौरान अन्य स्रोतों से कच्चे तेल की सप्लाई के लिए व्यवस्थाओं का अन्तिम समझौते के विभिन्न स्तरों पर है।

रतलाम बांसवाड़ा रेल लाइन के लिये सर्वेक्षण

1230 **डा० लक्ष्मीनारायण पांडेय**
श्री भागीरथ भंवर :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पश्चिम रेलवे के रतलाम डिवीजन में प्रस्तावित रतलाम-बांसवाड़ा रेल लाइन का सर्वेक्षण कार्य पूरा हो चुका है ;

(ख) इस प्रस्तावित रेल लाइन का कार्य कब से आरम्भ किया जायेगा, और

(ग) उक्त रेल लाइन की योजना की वर्तमान स्थिति क्या है ?

रेल मंत्रालय में उपमंत्री (श्री बटा सिंह) : (क) से (ग) रतलाम से बांसवाड़ा तक प्रस्तावित बड़ी लाइन के लिए प्रारम्भिक इंजीनियरी-एवं-यातायात सर्वेक्षण किया जा रहा है। सर्वेक्षण पूरा हो जाने और रिपोर्टों की जांच हो जाने के बाद ही इस परियोजना के निर्माण के बारे में निर्णय किया जायेगा

Loco Running Staff Grievances Committee

1231. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to state

(a) whether Government have agreed to enter into correspondence with Locomen Association in the Loco Running Staff Grievances Committee and for which officers have been posted at various levels; and

(b) how many problems have been referred to by the Locomen Association so far on each Railway and action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). No correspondence is entertained with any unrecognised union/association and as such the question of correspondence with the All India Loco Running Staff Association does not arise.

In order, however, to ensure prompt attention to the grievances of the Loco Running Staff on the Railways, instructions have been issued to the Railways to nominate one Assistant Personnel Officer and one Senior Welfare Inspector on each Division and one Senior Personnel Officer at Zonal headquarters to look into the grievances of Loco Running Staff.

Grievances as brought out by the Loco Running Staff from time to time are looked into and remedial action is taken as considered feasible. It is not possible to list out the grievances brought to the notice of the Administration at various levels.

जोधपुर डिवीजन के स्टेशनों पर यात्रियों के लिये सुविधायें

1232 श्री मूल चंद डागा : क्या रेल मंत्री यह बताने की कृपा करेंगे :

(क) क्या जोधपुर से मारवाड़ और पाली से जोधपुर जाने वाली गाड़ियों से बाड़मेर तथा बालोतरा जाने वाले यात्रियों को पांच-छः घंटे प्लेटफार्मों पर रुकना पड़ता है और इन प्लेटफार्मों पर स्नानगृह, शैड तथा पीने के पानी की व्यवस्था नहीं है ;

(ख) यदि हां, तो इन प्लेटफार्मों में ये सुविधायें कब तक उपलब्ध करा देने का विचार है ;

(ग) क्या लूनी जंक्शन पर द्वितीय श्रेणी का प्रतीक्षालय वहां चारदीवारी न होने के कारण जानवरों से भरा रहता है और यात्री उसका उपयोग नहीं कर पाते हैं; और

(घ) यदि हां, तो इस बारे में सरकार का विचार क्या कार्यवाही करने का है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) से (घ): संभवतः आशय लूनी जं० पर यात्रियों के लिए उपलब्ध सुविधाओं जैसे स्नान गृह, शैड और पीने के पानी की व्यवस्था आदि से है । इस स्टेशन पर स्नानगृह और पीने के पानी की पर्याप्त व्यवस्था विद्यमान है ।

इस स्टेशन पर दूसरे दर्जे का एक विश्रामालय बना हुआ है । विश्रामालय के प्रवेश द्वार पर एक फाटक लगाया जा रहा है । ताकि आवारा पशु अंदर न जाने पाये । आशा है, यह काम मार्च, 1976 तक पूरा हो जायेगा ।

दोनों प्लेटफार्मों के बीच स्टेशन भवन के दोनों ओर 140 फुट × 10 फुट माप के छतदार बरामदे भी उपलब्ध है जिनका उपयोग प्रतीक्षा करने वाले यात्री करते हैं ।

यदि धन उपलब्ध हुआ तो भविष्य के वर्षों के निर्माण कार्यक्रम में इस प्लेटफार्म पर छादार शेड की व्यवस्था करने के मामले पर भी विचार किया जायगा ।

बर्मा शैल कम्पनी के अधिग्रहण के पश्चात् उस में रोजगार के अवसर

1233 श्री भागीरथ भंवर : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि :

(क) बर्मा शैल कंपनी को हस्तगत करने के पश्चात् इस कंपनी में कितने लोगों को रोजगार मिलने की संभावना है ; और

(ख) इस समय इस कंपनी में कितने व्यक्ति कार्यरत हैं ?

पेट्रोलियम मंत्रालय में उपमंत्री (श्री त्रिदिब चौधुरी) : (क) बर्मा-शैल का प्रत्येक पूर्ण-कालिक अधिकारी अथवा अन्य कर्मचारी जिसको बर्मा-शैल (भारत में उपक्रमों का अधिग्रहण) अधिनियम 1976 की घोषणा से पूर्व बर्मा-शैल द्वारा भारत मे नियुक्त किया गया था और बर्मा-शैल का प्रत्येक पूर्णकालिक अधिकारी अथवा अन्य कर्मचारी जो अधिनियम से पूर्व भारत से बाहर किसी अस्थायी पद पर कार्य कर रहा था, वह सरकारी कंपनी का अधिकारी अथवा कर्मचारी बन गया है। इस समय यह कहना उचित नही होगा कि कंपनी द्वारा भविष्य मे अनेक व्यक्तियों को रोजगार दिया जायेगा।

(ख) 1-1-1976 को बर्मा-शैल मार्केटिंग और बर्माशल रिफाइनरीज दोनो मे कुल 4,968 कर्मचारी कार्य कर रहे थे।

मध्य प्रदेश में राक फास्फेट के उर्वरक कारखानों की योजना

1234 श्री भागीरथ भंवर : क्या रसायन और उर्वरक मंत्री ये बताने की कृपा करेंगे कि क्या मध्य प्रदेश झाबुआ जिले मे उपलब्ध राकफासफेट का उपयोग करके उर्वरक कारखाना स्थापित करने के लिये केन्द्रीय सरकार तथा मध्य प्रदेश राज्य सरकार ने कोई योजना बनाई है ?

रसायन और उर्वरक मंत्री (श्री पी०सी० सेठी) : इस सबध में जबकि कोई योजना नहीं बनी है, यह सुनिश्चित करने के लिए प्रत्येक कोशिश की जानी चाहिए कि देशीय राक-फास्फेट का भारत में फोस्फेट युक्त उर्वरको का उत्पादन करने में अधिकतम संभव मात्रा का प्रयोग किया जाए।

उद्यमी विकास योजना

1235 श्री भूल चंद डागा : क्या रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि

(क) क्या भारतीय उर्वरक निगम द्वारा वर्ष 1970-71 में एक उद्यमी विकास योजना लागू की गई थी ;

(ख) यदि हा, तो योजना के उद्देश्य क्या हैं ,

(ग) उसके अन्तर्गत कितने व्यक्तियो को खाद की बिक्री के परमिट दिये गये थे ; और

(घ) उक्त परमिट देने के आधार क्या थे ?

रसायन और उर्वरक मंत्री (श्री पी० सी० सेठी) :

(क) जी हा।

(ख) से (घ) इस योजना का उद्देश्य नवयुवको द्वारा हेतु प्रोत्साहन देना है। उद्देश्य है। 31-9-75 तक शिक्षित बेरोजगारों की क्षणियो से सबधित 1,386 डीलरों को योजना के अन्तर्गत नियुक्त किया गया है। निम्नलिखित बातों को ध्यान मे रखते हुये इस योजना के अन्तर्गत अभ्यर्थियो का चयन किया गया है —

(i) आवेदक स्नातक हो विशेषकर गाव सबधी जानकारी सहित कृषि विज्ञान मे स्नातक।

(ii) 30 वर्ष से कम आयु का हो।

(iii) वह बेरोजगार हो।

(ii) वह उस क्षेत्र से सम्बन्धित होना चाहिये जिसके लिये उसने ओवरसियर हेतु आवेदन भेजा हो।

Review of Cases of Removed Casual Railway Workers for May, 1974 Strike

1236. SHRI INDRAJIT GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether over 5,000 casual Railway workers still remain out of service due to their participation in the strike of May 1974;

(b) whether review of these cases is still continuing or has been closed; and

(c) by when they will be reinstated?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) and (c). While cases of the Casual Labour/Substitutes who are still out of job continue to be reviewed, their re-engagement necessarily depends on the temporary works and their requirement of labour.

निबोला फाटक पर उपरि पुल के निर्माण का प्रस्ताव

1237 **श्री गंगा चरण दीक्षित** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि क्या सरकार का मध्य रेलवे में आमिरगढ़ और बुरहानपुर के बीच निबोला फाटक पर उपरि पुल का निर्माण करने का विचार है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): जी नहीं ;

मध्य प्रदेश के छत्तीसगढ़ क्षेत्र में रेल लाइनें

1238 **श्री गंगा चरण दीक्षित** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश के छत्तीसगढ़ क्षेत्र में शीघ्र ही एक नई रेल लाइन का निर्माण किया जाएगा ; और

(ख) यदि हां, तो कब ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) और (ख). दल्ली-राजहरा से जगदलपुर तक एक बड़ी रेलवे लाइन के निर्माण के लिए अन्तिम स्थान निर्धारण सर्वेक्षण पूरा हो चुका है और रिपोर्टों की जांच की जा रही है। सर्वेक्षण रिपोर्ट से मालूम हुआ है कि 241 किलोमीटर लम्बी इस परियोजना पर 46 करोड़ रुपये की लागत आयेगी और इससे भाप इंजनों के परिचालन से 7.84 प्रतिशत (डी० सी० एफ०) तथा डीजल इंजनों के परिचालन से 7.97 प्रतिशत (डी० सी० एफ०) का प्रतिफल प्राप्त होगा। इस लाइन के निर्माण का फैसला रिपोर्टों की जांच कर लिये जाने के बाद और धन की उपलब्धता के आधार पर किया जायेगा।

Profit earned by F.A.C.T.

1239. SHRI VAYALAR RAVI: Will the Minister of CHEMICALS AND PERTILIZERS be pleased to state:

(a) whether the Fertilizers and Chemicals Travancore Ltd, Udyogmandal has improved its performance and earned profit during the current year; and

(b) if so, to what extent?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The overall production performance of the two units of F.A.C.T. improved during the year as indicated below:

	April-Dec. 1975	April-Dec. 1974
	(In round figures in tonnes)	
UDYOGAMANDAL:		
Ammonium Sulphate	88,000	64,000
Ammonium Phosphate 16:20	50,200	46,300
Ammonium Phosphate 20:20	21,800	16,900
Superphosphate	11,400	17,500
COCHIN:		
Urea	1,05,900	53,300

Production of Superphosphate had to be limited on account of lack of demand.

Despite the increased production, FACT have incurred losses due to increases in the cost of inputs and reduction in the final selling prices. The exact quantum of losses can be accurately assessed only after the accounts are finalised at the end of the financial year.

Varkala Railway Station, Kerala

1240. SHRI VAYALAR RAVI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Varkala Railway Station in Kerala has no amenities for the passengers even today; and

(b) if so, what steps have been taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) All the basic amenities, such as waiting hall, benches, proper lighting arrangements, drinking water supply, sanitised latrines, booking office, raised platforms, with well maintained surface, are available at this station. Additional amenities like upper class waiting room, cover over platform, parcel office, passenger shelter, circulating area etc. are also provided at Varkala Station.

(b) Does not arise.

Companies floated during the last three years

1241. SHRI VAYALAR RAVI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) total number of new companies floated during the last three years; and

(b) how many of them have started functioning?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). The number of companies limited by shares registered under the Companies Act, 1956 during the last three years i.e., 1972-73, 1973-74 and 1974-75 is given as under:—

Year	No. of companies registered.
1972-73	2860
1973-74	3777
1974-75	3699

All but three of these companies which ceased functioning during the said period, were at work at the close of the period i.e., as on 31-3-1975.

Development of Andhra Pradesh in the field of Chemical Industries

1242. SHRI Y. ESWARA REDDY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state how many new chemical industries have been allotted for Andhra Pradesh during the current plan period?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): The information is being collected and will be laid on the Table of the Lok Sabha.

Requirement of Ethyl Alcohol by Andhra Pradesh

1243. SHRI Y. ESWARA REDDY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state whether Government propose to take ethyl alcohol from surplus State and give it to Andhra Pradesh for industries?

THE DEPUTY MINISTER IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI C. P. MAJHI): Allocations of ethyl alcohol from surplus to deficit States are made by Central Government on the recommendations of the Working Committee of the Central Molasses Board. In its last meeting held on 26-11-75 the Committee had recommended allocation of 2.00 million litres of alcohol from Tamil Nadu and 0.5 million litres from Karnataka to meet the requirement of the Synthetic Drugs Plants of I.D.P.L. in Andhra Pradesh. The recommendation was accepted by the Central Government and orders issued accordingly.

Shortage of Caustic Soda

1244. SHRI Y ESWARA REDDY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government of Andhra Pradesh has asked for the distribution of soda ash through State Directors of Industries;

(b) if so, the decision of Central Government thereon;

(c) whether there is an acute shortage of caustic soda throughout the country; and

(d) if so, the steps taken to raise the production and also to fix the price of caustic soda?

THE DEPUTY MINISTER IN THE MINISTRY OF CHEMICALS AND FERTILISERS (SHRI C. P. MAJHI): (a) No, Sir.

(b) Does not arise.

(c) and (d). Presently no shortage of caustic soda is being reported. However, Government is keeping a watch on the production trends. Government excercises no control on the price of caustic soda. The Alkali Manufacturers Association representing the industry, recommends the ceiling selling prices of caustic soda to its constituent members.

Scarcity of DMT

1245. SHRI D. D. DESAI: Will the Minister of PETROLEUM be pleased to states:

(a) whether there is a DMT scarcity in the country, and

(b) if so, the steps taken to overcome this scarcity?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The demand for DMT is in excess of production and supply since October 1975. Steps have been taken to augment availability of paraxylene, which is the raw material for manufacture of DMT, by imports for increasing domestic production of DMT. Import of DMT is also planned to further supplement indigenous availability.

Appointment of Sons/Daughters of Loyal Railway Employees

1246. SHRI S. M. SIDDAYYA: Will the Minister of RAILWAYS be pleased to state:

(a) how many sons and daughters of the loyal workers have been given appointments in each Division of the Railways upto 1st January, 1976; and

(b) whether the percentage of reservation for Scheduled Castes and Tribes has been maintained in these appointments?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Shifting of Western Railway Headquarters from Bombay to Ahmedabad/ Baroda

1247. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to shift the headquarters of the Western Railway from Bombay to Ahmedabad or Baroda in Gujarat; and

(b) if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

Construction of Railway Line between Kapadwanj and Modasa

1248. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to construct and expand the railway line between Kapadvanj and Modasa and beyond with a view to giving facilities of railway communication to the people of Sabarkantha District in Gujarat; and

(b) if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Reconnaissance engineering-cum-traffic surveys have been carried out to consider conversion of Nadiad-Kapadvanj N.G. section to B.G. and its extension upto Modasa or alternatively construction of an M.G. line from Shamlaji Road to Modasa and Kapadvanj. The survey reports are at present under examination. A decision regarding the construction of this project will be taken after the examination of the survey reports, and depending upon the availability of funds.

English Electric Company

1249. SARDAR SWARAN SINGH SOKHI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether English Electric Company is shifting its registered office from Calcutta to Tamil Nadu;

(b) whether there is resentment amongst the employees of the Company, as this will curb employment potential in West Bengal; and

(c) if so, what steps Government propose to take in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) The company has not filed so far any petition under Section 17 of the Companies Act, 1956 before the Company Law Board for confirmation of any proposal to shift its registered office from Calcutta to Tamil Nadu.

(b) The Employees' Association of the above company have made representations against the proposal of shifting of the registered office of the company from Calcutta to Tamil Nadu.

(c) The Company Law Board (Bench) will consider the matter on filling a petition under Section 17 of the Companies Act, 1956 by the com-

pany in accordance with the Company Law Board (Bench) Rules, 1975.

Disposal of pending cases in Supreme Court and High Courts

1250. SHRI SOMNATH CHATTERJEE:
SHRI VASANT SATHE:
SHRI BHAGIRATH BHANWAR:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) latest figures of the number of pending cases in the Supreme Court and High Courts, separately;

(b) whether the number of pending cases has increased significantly over the past three years;

(c) what action is proposed to be taken to expedite disposal of pending cases,

(d) whether any committee has been set up to advise on the expeditious disposal of court cases; and

(e) if so, the recommendations made by the Committee and the action taken thereon?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R GOKHALE): (a) A statement giving the information as on 30th June, 1975 in respect of High Courts except the Sikkim High Court is laid on the Table of the House [*Placed in Library*. See No. LT-10238/76.]

(b) There has been an increase in institution and consequent increase in the number of pending cases.

(c) A statement indicating the various steps taken to reduce the pendency is laid on the Table of the House. [*Placed in Library*. See No. LT-10238/76.]

(d) and (e). An informal committee was set up in 1969 under the Chairmanship of the then Chief Justice of India to go into the problem of arrears in the High Courts in all its aspects and to suggest remedial measures. The Committee made a number of recommendations for reducing arrears and for minimising delays in dispensing justice. The recommendations were primarily in three directions:—

(i) Reducing delays which occur before the proceeding is ready for hearing by the High Courts;

(ii) Weeding out certain classes of causes which under the present system reach the High Court and making them triable by other Courts or Tribunals;

(iii) Ensuring that the time taken up in the actual hearing of cases should, while giving parties full opportunity of presenting their respective cases, be effectively reduced.

The recommendations of the Committee which are purely of Administrative nature and which do not require amendment to the rule, statute or law, have been communicated to the State Governments and the High Courts for implementation. Some of the recommendations involving amendments to the statute or law have already been brought to the notice of concerned Ministries and Departments. Some of these recommendations have been incorporated in the Civil Procedure Code Bill under consideration of Parliament. Decisions on some of the recommendations will be taken when specific laws to which they relate are amended.

Service Conditions of Judges of Supreme Court and High Courts

1251. SHRI SOMNATH CHATTERJEE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have any proposal to discontinue appointments of any retired judges of the Supreme Court or of any High Court to any office under the Central or State Government or Public Undertaking or Government companies, including Commissions; and

(b) whether Government are considering steps to improve the service conditions of the Judges of the Supreme Court and the High Courts and if so, the nature thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No, Sir.

(b) Yes, Sir. A Bill to amend the Supreme Court Judges (Conditions of Service) Act, 1958 and a Bill to amend the High Court Judges (Conditions of Service) Act, 1954 have been introduced in the Lok Sabha on 8-5-75.

Decision on lowering of voting Age

1252. SHRI M. KATHAMUTHU:
SHRI C. K. CHANDRAPPAN:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how long will Government take to finalise the decision regarding the granting of right to vote at age of 18;

(b) names of the countries in the world where voting right is given to the people at 18 or below 18; and

(c) what is the reason for delay in taking the decision?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): (a) and (c). Government will take further time to arrive at a decision having regard to some difficulties which may arise *inter alia* on account of the enlargement of the electorate, the electoral arrangements these would necessitate, etc.

(b) According to available information, people of the following countries are eligible to vote at the age of 18:—

Albania, Bulgaria, Ceylon, Czechoslovakia, East Germany, Ecuador, Great Britain, Hungary, Poland, Israel, Italy, Laos, Mexico, North Korea, Paraguay, Rumania, Salvador, Somalia, Soviet Union, Sudan, United States of America (for Federal Elections only), Venezuela, Vietnam and Yugoslavia.

Control over Fertilizer Plants by the Fertilizer Corporation of India

1258. SHRI SHANKERRAO SAVANT: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the nature of control exercised by the Fertiliser Corporation of India over the production and distribution of fertilisers in India; and

(b) which of the fertiliser plants are directly under its control and what is their production during the last three years?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The Fertilizer plants under the control of the Fertilizer Corporation of India and the production of fertilizers by these

plants during the last three years are as under:—

000/ M.T N2

Unit	Production 1972-73	1973-74	1974-75
Sindri . .	66·3	69·6	67·1
Nangal . .	53·7	61·9	40·6
Trombay .	69·8	64·5	66·6
Namrup . .	34·8	36·2	40·0
Gorakhpur	69·3	64·2	72·8
Durgapur . .	..	..	11·4*
TOTAL .	293·9	296·4	298·5
Trombay P205	37·0	32·0	31·6

*Durgapur plant went into commercial production w.e.f. 1-10-74; the production indicated above is for the period 1-10-74 to 31-3-75.

While the Fertilizer Corporation of India controls fully all aspects relating to production in their plants listed above, the fertilizers produced by these units are distributed according to the State-wise allocations made by the Ministry of Agriculture and Irrigation under the Essential Commodities Act.

Maintenance of Electrical Passenger Coaches

1254. SHRI TRIDIB CHAUDHURI: Will the Minister of RAILWAYS be pleased to state:

(a) whether attention of Government has been drawn to the poor state of maintenance of Electrical passenger coaches in the Sealdah and Howrah Divisions of Eastern Railway and the Kharagpur-Howrah Divisions of South Eastern Railway; and

(b) the steps taken to repair them and to protect them against pilferage of fittings like fans and lights?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): It is presumed that the Question is for the defects and deficiencies of amenities on suburban coaches. In that case, the reply is:

(a) Yes; and

(b) The defects and deficiencies are mainly, confined to Eastern Railway and are on account of miscreant activities. All possible steps have been taken to repair/maintain EMU coaches/equipment in Car sheds and in Workshops. Appropriate anti-theft and security measures such as escorting of trains by RPF personnel, carrying out surprise raids at affected yards and at the receivers' godowns and shops, intensified guarding of EMU coaches and carsheds and liaison with the State Police, CID, etc for mopping up criminals under MISA, are being carried out.

Warning to Petrol Dealers by M.R.T.P. Commission

1255. SHRI S. M. BANERJEE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Monopolies and Restrictive Trade Practices Commission has warned the petrol dealers against extra charges; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA) (a) and (b). Yes, Sir. Monopolies and Restrictive Trade Practices Commission passed an order on the 19th of November, 1975 in the inquiry proceedings instituted by it in April, 1974 against the President of the Petrol Dealers' Association, Bombay (Respondent No. 1) and the Hon. Secretary of the Association (Respondent No. 2) and others, prohibiting and restraining them from charging

any service or incidental charge or any other charge by whatsoever name called separately and apart from the price of petrol sold by them on cash basis. The relevant extracts from the Commission's order are laid on the Table of the House. [*Placed in Library. See* No. LT-10239/76.]

टिकट चैक करने वाले कर्मचारियों को 'रनिंग स्टाफ' घोषित किया जाना

1256. **श्री भोला मांझी :**
श्री रामावतार शास्त्री :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारतीय रेलों में टिकट चैक करने का काम करने वाले कर्मचारियों को उनके कार्यानुरूप 'रनिंग स्टाफ' घोषित करने में रेलवे अधिनियम बाधक है ; और

(ख) यदि हां, तो क्या सरकार का उक्त अधिनियम में संशोधन करके टिकट चैक करने वाले कर्मचारियों को 'रनिंग स्टाफ' घोषित करने का विचार है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) और (ख). अधिनियम में इस सम्बन्ध में कोई व्यवस्था नहीं है। गाड़ियों के संचालन का काम जिन कर्मचारियों की प्रत्यक्ष देख-रेख में होता है जो इस काम के लिए उत्तरदायी हैं, उनको भारतीय रेल स्थापना संहिता, भाग 1 के नियम 507 के अनुसार रनिंग कर्मचारी के रूप में वर्गीकृत किया गया है। चूंकि टिकट जांच कर्मचारी इस मापदण्ड को पूरा नहीं करते, इसलिए उन्हें रनिंग कर्मचारी के रूप में वर्गीकृत करना व्यावहारिक नहीं है।

टी० टी० ई० के पदों को स्वीकृत करना

1257. **श्री भोला मांझी :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे में शयनयानों के लिये टी० टी० ई० के कितने पद स्वीकृत किये गये हैं ; और

(ख) क्या शयनयानों में टी० टी० ई० की कमी के कारण इनके स्थान पर एल० आर० टी० से० से काम लेने के बावजूद अधिकांश शयनयानों की जांच करने के लिये कोई टी० टी० ई० नहीं होता है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) और (ख). शयनयानों के लिए चल टिकट परीक्षकों के 178 पद स्वीकृत हैं और इन पदों पर कर्मचारी तैनात हैं। यह सही नहीं है कि अधिकतर शयनयानों में कोई कर्मचारी नहीं होता। फिर भी इस कोटि में कर्मचारियों की आवश्यकता के बारे में समीक्षा की जा रही है।

Fertilizer Projects under construction and requirement of Fertilizers

1258. SHRI TUNA ORAON:
SHRI S. N. SINGH DEO:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) total requirement of fertilizer in the country at the end of Fifth Plan period and the present production, unit-wise with the capacity and utilised capacity in each unit;

(b) the Fertilizer Projects under construction at present;

(c) whether there is any delay in constructing the Fertilizer Plants under construction;

(d) if so, reasons thereof; and

(e) the action taken upto date to remedy the situation?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-10240/76.]

(b) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-10240/76.]

(c) to (e). Completion of some of the fertilizer projects under implementation has been delayed, mainly due to the following factors:—

(a) Delay in supply of equipment both indigenous and imported.

(b) Delay on the part of construction contractors.

(c) Defects in fabrication of some sophisticated equipments being indigenised for the first time.

(d) Non-availability of construction and structural items in time.

(e) Failure of critical items of equipment including imported equipment.

The progress of implementation of projects is closely monitored and on a continuous basis with a view to identifying factors leading to delay and taking corrective measures. Procedures for the clearance of list of equipments for imports, release of foreign exchange etc. have also been streamlined so as to cut down delays.

Death of a Guard due to accident near Bilaspur

1259. SHRI HARI SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether a guard of a goods train died when the train dashed against uncoupled wagons on 1st January, 1976 nine kilometres from Bilaspur (M.P.) on Bilaspur-Sahadol Section of the South-Eastern Railway; and

(b) what compensation or facilities have been given to the family of the deceased guard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) A sum of Rs. 500 has been paid to the dependants of the deceased employee. The question of payment of necessary compensation under the Workmen's Compensation Act is under examination.

Drilling in Eastern and North Eastern States

1260. SHRI SAKTI KUMAR SARKAR: Will the Minister of PETROLEUM be pleased to state:

(a) the names of places where drilling was undertaken during the last three years on the basis of survey made earlier in the Eastern and North Eastern States; and

(b) an outline of the prospect of each structure?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The Oil and Natural Gas Commission did drilling at Rudrasagar, Lakwa, Galeki, Borholla, Amguri, Dergaon, Charali, Mariani and Jorhat in Assam; at Gopinath Killa (Garo Hills); at Baramura in Tripura and at Bakultala in West Bengal. From Rudrasagar, Lakwa and Galeki the

ONGC is presently producing oil at the rate of about 3200 tonnes per day. Oil has been discovered at Borholla, Amguri and Charali and gas has been discovered at Baramura. The Deragaon structure is yet to be conclusively tested. The well drilled at Mariani has proved to be dry. Drilling/production testing operations at, Jorhat, Gopinath Killa and Bakultala are yet to be completed, after which only results would be known.

The Oil India Limited (OIL) did drillling at Nahorkatiya Main, Moran, Santi, Jaipur, Langkasi, Kathalguri, Jorajan, Tengakhat, Namchik, Zealoni in Assam and Ningru in Arunachal Pradesh. The O.I.L. presently is producing oil at the rate of about 3.08 million tonnes per annum from its Nahorkatiya and Moran etc. fields. The drilling/production testing operations completed have further given evidence of hydrocarbons prospects in the Eocene formations in Tengakhat area and of the presence of hydrocarbons at shallow depths in Ningru area.

Oil Field of Digboi Refinery

1261. SHRI R. S. PANDEY: Will the Minister of PETROLEUM be pleased to state:

(a) whether the life of the oil field of the Digboi refinery is nearing to an end; and

(b) if so, the steps proposed to revitalize the field?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). Digboi Oil field has been producing crude oil and natural gas for over 85 years. Although the production of the oil field is steadily declining, it would continue to produce petroleum for quite some years. Steps are being taken to augment secondary recovery and production stimulation techniques.

Treatment of Break in Service of Strike, 1974 Strike as Leave Due

1262. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether in connection with May 1974 Railway strike some Railway employees were removed/dismissed from service and on reinstatement their period of absence from duty treated as suspension and they were given suspension allowance;

(b) whether in the case of those who were not removed from service but their break in service has been condoned the period in question has been treated as *dies non;* and

(c) whether any decision has been taken to treat the absence of such (May 1974 strikers) as leave due?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Yes.

(c) No.

Magistrates and Judges of Delhi Courts compulsorily retired, suspended or removed during Emergency

1263. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether some Magistrates and Judges of various Courts of Delhi have been compulsorily retired, suspended or removed during emergency for not performing their duties properly and/or for various charges, like accepting bribe and corruption; and

(b) if so, the facts thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No, Sir.

(b) Does not arise.

Rationalisation of Price Structure of Drugs and Dyes by Hindustan Organic Chemicals

1264. SHRI D. D. DESAI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Hindustan Organic Chemicals has rationalised the price structure of intermediates for drugs and dyes;

(b) if so, whether this has resulted in a general lowering of the price of these products; and

(c) whether this reduction will be passed on to the consumers of end products?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Hindustan Organic Chemicals has rationalised the price structure of some of the intermediates for drugs, dyestuffs and Rubber Chemicals.

(b) The rationalisation would result in an overall price reduction of about 9 5 per cent for these intermediates.

(c) The effect of this reduction on the end products (i.e., to the consumers) would depend on their overall cost of production and other inputs of the bulk material for whose production these intermediates are used At present, there is price control on drugs only.

Import of Crude

1265. SHRI D. D. DESAI: Will the Minister of PETROLEUM be pleased to state:

(a) whether the import of crude will be kept down to the present levels in the coming years; and

(b) if so, the broad features of plans thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). Imports to the extent of 13.95 million tonnes are expected to be effected during the year 1975-76. For the coming years it is proposed to keep imports at the minimum level necessary to meet the essential product requirements.

Introduction of Jayanti Janta between Ahmedabad and Delhi

1266. SHRI D. D. DESAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether a Jayanti Janta is being introduced between Ahmedabad and Delhi; and

(b) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). 31/32 Delhi-Ahmedabad Janata Express has been converted into a Jayanti Janata Express from 26th January, 1974 and is hauled by a Diesel Loco. The train has sufficient reserved accommodation with facility for supply of bed rolls and provision of catering service

Programme for Rail Lines in Maharashtra

1267 SHRI DHAMANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) the salient features of the approved programme for construction of new rail lines/improvement of the existing rail lines in Maharashtra;

(b) what provision has been made for these schemes for the year 1975-76; and

(c) the time schedule marked out for completion of these schemes?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-10241/76].

Appointment of Gas Agents

1268. SHRI DHAMANKAR: Will the Minister of PETROLEUM be pleased to state:

(a) how many gas agents were operating during 1974-75 and the number of new agents appointed during 1975-76, State-wise; and

(b) how many agencies have been allotted to unemployed engineers, Scheduled Castes and Scheduled Tribes and ex-servicemen during this period?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The total number of LPG distributors operating in the country as at the end of 1974-75 was as below:—

IOC	298	
HPC	108	
Caltex	15	(including its two concessionaries M/s. East Coast Gas Company and M/s. Domestic Gas Private Limited) .
Burmah Shell	58	(as on 1-1-1975) One dealer resigned in 1975.

The number of new LPG distributorships commissioned during 1975-76 is as below —

IOC

Delhi (Union Territory) . .	9
Uttar Pradesh . . .	6
Punjab . . .	2
Madhya Pradesh .	4
Rajasthan . . .	2
West Bengal	19
Assam	1
Bihar	4
Orissa	1
Meghalaya	1
Gujarat.	7
Tamil Nadu . . .	12
Andhra Pradesh . . .	4
Karnataka	3
Kerala	3
Sikkim	1
	70

Burma Shell (In 1975 calender year)

Maharashtra	23

No new LPG agents were appointed by HPC and Caltex during 1975-76.

(b) LPG agencies of IOC commissioned by such categories during 1975-76 are as below:

Unemployed graduates/engineers	
Scheduled Castes/Scheduled Tribes	8
Defence Category . . .	40

Burmah-Shell has appointed all new agents purely on commercial considerations.

Scheme to provide medicines and services of Physicians at Petrol Pumps

1269. SHRI DHAMANKAR: Will the Minister of PETROLEUM be pleased to state:

(a) whether Government have formulated a scheme to provide medicines for common ailment and services of physicians available at petrol pumps in the selected areas of the country; and

(b) if so, the main features of the scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The Indian Oil Corporation Ltd., Hindustan Petroleum Corporation Ltd, and Indo-Burma Petroleum Company Ltd. have launched a programme of converting ultimately a large number of their retail outlets in the rural and semi-urban areas into multi-purpose rural distribution centres. Apart from the various petroleum products, these centres will also sell many commodities and services required by the rural population such as certified seeds, fertilizers and agricultural inputs, and essential commodities like controlled cloth, common household drugs, soaps, vanaspati and cooking oil (in sealed tins), tyres and tubes for cycles, tractor parts, torch cells, etc. Attendance of physicians, on part-time basis, is also being provided at some of the centres.

Coal-based Fertiliser Plant at Raniganj, West Bengal

1270. SHRI S. N. SINGH DEO: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the broad features of the proposals of West Bengal Government for setting up a coal-based Fertilizer Plant at Raniganj.

(b) reaction of Government thereto; and

(c) action taken thereon upto date?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). The Government of West Bengal had come up with a request for the setting up of a coal-based public sector fertilizer plant in the Raniganj area in the State, but no details in regard to the techno-economic aspects were received. The State Government have been informed that the resource position does not permit creation of any additional fertilizer capacity in the public sector during the Fifth Plan period.

Display of Duty Rosters of SMs/ASMs in Divisions (Northern Railway)

1271. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1027 on the 19th November, 1974 regarding non-implementation of Mianbhoy tribunal report on the Northern Railway and state:

(a) whether new duty rosters of Station Masters and Assistant Station Masters have not been issued in Delhi Division and other Divisions of Norhern Railway; and

(b) the reasons for not starting payment of overtime on the basis of R.L.T. and the time by which the payment of overtime on the basis of R.L.T. will be started and duty rosters of SMs/ASMs issued?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The revision of rosters in terms of Tribunal's Award for Station Masters and Assistant Station Masters is under way and the revised rosters are likely to be brought into operation from the end of February, 1976.

(b) The payment of overtime in terms of R.L.T. 1969 Award is related to the revision of rosters and it will be arranged when revised rosters are introduced. The overtime will, however, accrue retrospectively from 1st August, 1974.

Advance Increments granted to loyal Employees

1272. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the advance increment paid to loyal Railway employees after the May, 1974 general strike has been converted into permanent additional increment;

(b) whether some of them have been given an award of only Rs. 50 or Rs. 100 for being loyal; and

(c) if so, why such discrimination is being practised?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) For those who were given the advance increment, the subsequent increment in the scale of pay is allowed, on the normal date *i.e.*, on the date on which the normal increment would fall due but for the grant of advance increment and not on the anniversary of the grant of advance increment.

(b) and (c). According to the norms laid down, the loyal esmployees were eligible to receive only one of the benefits laid down, *i.e.*, employment of sons/daughters, extension/re-employment, advance increment, cash award and hard-dutyallowance. In keeping with this policy, respective awards were given to individuals depending upon the merits of each case.

Durgapur Fertilizer Plant

1273. SHRI S. A. MURUGANANTHAM: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state what is the present situation of the Durgapur Fertilizer Plant?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): The Durgapur Plant which started production in October, 1973, has had to grapple with several mechanical failures and problems in different sections of the plant, *e.g.*, boiler feed water, syn. gas compressor, etc. With the result that it has not so far been possible to stabilise operation at a satisfactory level. Frequent power interruptions/failures and voltage dips in the power supply system of M/s. Durgapur Projects Limited from which the Fertilizer plant draws its power, have been seriously affecting steady and efficient plant operation.

To overcome the various mechanical defects other problems, an "end-to-end" survey was got done by M/s. TECHNIMONTH who were intimately involved in the designing etc., of this project. The "end-to-end" survey report has been received and appropriate remedial measures are underway to ensure steady operation of this plant at a satisfactory level. Further, measures to overcome the constraints in the power system are also under discussion with the West Bengal Government.

The plant has just started after completing certain repairs and is presently operating at about 30 per cent of its capacity.

Double Track betwen Muradnagar-Ghaziabad

1274. SHRI PRABODH CHANDRA: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a proposal to have double track between Muradnagar and Ghaziabad in the near future; and

(b) if so, the target for doubling of this track?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) No target date has been fixed, however, it will take about three years subject to availability of adequate funds.

Electrification of Ghaziabad-New Delhi Railway Track

1275. SHRI PRABODH CHANDRA: Will the Minister of RAILWAYS be pleased to state·

(a) whether Government have decided to electrify the Railway track between Ghaziabad and New Delhi during the current financial year;

(b) if so, the progress so far made in this direction; and

(c) the target date for its completion?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Electrification of Ghaziabad-New Delhi section is already in progress as part of electrification scheme of Tundla-Delhi section. The progress of electrification of Tundla-Delhi section is 67 per cent upto 31-12-1975.

(c) December, 1976.

Gas-based Fertilizer Unit

1276. SHRI H. N MUKERJEE: SHRIMATI ROZA DESHPANDE:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have decided to have gas-based fertilizer units in future;

(b) whether any step has been taken to make use of the gas expected to be available from the offshore region of Bombay High and Bay of Bengal; and

(c) if so, particulars thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). Adequate data is not as yet available on the quantum of gas likely to become available from our offshore regions, exact location of such gas and its economic exploitation, as also the places to which the gas could be brought for use as fertilizer feedstock. It is, therefore, too early to take a firm view now in regard to extent to which gas could be used as feedstock in planning additional fertilizer capacity. On the basis, however, of the present assessment of the associate gas likely to be available from the Bombay High, Government have already decided that expansion of the Trombay plant of the Fertilizer Corporation of India (Trombay-V) should be based on gas. The plant will be initially based on naphtha till gas becomes available for use as feedstock.

Diesel Locomotive Works, Varanasi

1277. SHRI JAGANNATH MISHRA: Will the Minister of RAILWAYS be pleased to state:

(a) whether due to restricted supply and higher cost of diesel, the Diesel Locomotive Works, Varanasi is facing closure; and

(b) if so, the remedial measures proposed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). It is not a fact that the Diesel Locomotive Works, Varanasi is facing closure due to restricted supply and higher cost of diesel. The fact is that owing to constraint of funds during 1975-76 the production of diesel locomotives for Railways' own use was limited to a lower number. However, with a view to utilising the available capacity at Diesel Locomotive Works vigorous efforts to diversify production were undertaken which are listed as under:

(i) Production of WDS-6 type heavy duty diesel shunters for Steel Plants.

(ii) Export of diesel locos to Tanzania.

(iii) Production of diesel generating sets for Atomic Energy Commission.

(iv) Production of 12 cylinder version of the diesel engine against the normal production of 16 and 6 cylinders. These 12 cylinder engines will be used for repower packing of old diesel locomotives.

(v) Increased supply of spares for maintenance to the Railways thereby reducing imports.

With the above mentioned steps the available capacity at Diesel Locomotive Works, Varanasi is expected to be fully utilised.

Employment of Sons/Daughters of Loyal Railway Workers of May, 1974 Railway Strike

1278. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether on the eve of May, 74 Railway strike the then Railway Minister Shri L. N. Mishra announced that sons and daughters of loyal railway workers would be given employment in Railways;

(b) if so, how many such persons have been appointed and the number of Scheduled Castes, Scheduled Tribes, Muslims and Christians out of them separately;

(c) whether persons other than sons and daughters of loyal employees were also employed;

(d) whether sons and daughters of Class I and II Gazetted Railway officers (who were not on strike) have also been appointed; and

(e) if so, the results of the enquiry promised by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) In February, 1974, the then Railway Minister late Shri L. N. Mishra made the following announcement; "It has also been decided to recognise the services of loyal workers by grant of extensions, rewards, advance increments for outstanding service and favourable consideration within administrative rules for appointment of children and dependents of loyal workers".

(b) The total number of appointments made up to 31st October, 1975 was 10275 including 1380 Scheduled Caste candidates, 175 Scheduled Tribe candidates, 687 Muslims, 401 Christians and 66 members of other minority communities.

(c) to (e). Instructions were to offer employment to only one ward of a loyal employee. By ward it is generally meant to be a son or daughter. Complaints received are being looked into.

Amount of Loan as Flood Relief to Patna Railway Employees

1279. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the amount of flood advance of Rs. 500 was fixed by the Railways at a time when the market price and the pay structure of staff was very low; and

(b) whether Railways propose to revise the amount of flood relief keeping in view the prevalent market price, the pay structure and amount of flood relief granted by different Government Departments?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Flood advances to Central Government employees, including railway employees, are granted on the basis of orders issued from time to time by the Min-

istry of Finance, which take all relevant factors into account while fixing the quantum of such advances. Government are not presently considering any increase in the ceiling of Rs. 500.

Over-head Bridges constructed on Railway Lines in Maharashtra

1280. SHRI SHANKERRAO SAVANT: Will the Minister of RAILWAYS be pleased to state:

(a) the particulars of over-head bridges on railway lines constructed in Maharashtra during 1973-74, 1974-75 and 1975-76 till December, 1975;

(b) the particulars of those which are under construction at present;

(c) what is their estimated expenditure; and

(d) when are they likely to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Following road over-bridges have been constructed in Maharashtra during 1973-74, 1974-75 and 1975-76 till December, 1975:—

Year	In lieu of existing level crossings on cost sharing basis.	On deposit terms
1973-74	Nil	Nil
1974-75	Nil	1 (Malkapur)
1975-76	1 (Basmath)	1 (Kolhapur)

In addition, one road overbridge at Lonand was constructed as part of Pune-Miraj Conversion Project.

(b) Following road over bridges are at present under construction (physically in progress):—

(i) *In replacement of existing level crossings on cost sharing basis:*—

1. Road over bridge at Palghar.
2. Road over bridge at Dahanu Road.
3. Road over bridge at Miraj.
4. Road over bridge at Chinchwad.
5. Road over bridge at Mulund.
6. Road over bridge at Lonavala.
7. Road over bridge at Ankai.

(ii) *On Deposit terms:*

1. Road over bridge near Chanda Fort.
2. Road over bridge at Ghatkopar.

NOTE.—In addition, six road over bridges namely at Shahad, Ahmednagar, Pachora, Wadala Road, Igatpuri and Khardi have also been approved on which construction work is expected to be started shortly. Estimates for Road over bridges at Asangaon, Padali, Umbermali and Dombivli are under finalisation.

A road over bridge at Karad is also under construction as part of Pune-Miraj conversion project.

(c) The total estimated cost (Railway's share only) for the works mentioned in part (b) above is about Rs. 106 lakhs. This does not include the cost of deposit works and Road over bridges constructed as part of conversion projects as also those for which estimates are still to be finalised.

(d) The progress of the works depends on the availability of funds and, therefore, it is not possible to indicate the time of their completion at this stage.

Foreign interests in Fertilizers and Drug Industries

1281. SHRI BHOGENDRA JHA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state the latest position with regard to foreign economic interests in India in Industries, firms and concerns connected with fertilizers and drugs?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): The extent of interest of foreign companies in drug units operating in India is indicated in Annexure IV and V to Chapter V of the Report of Committee on Drugs and Pharmaceutical Industry, a copy of which was laid on the Table of the Sabha on 6th May 1975

The extent of foreign financial participation in the fertilizer industry has been indicated in the statement laid on the Table of the Sabha in reply to Starred Question No. 204 on 20-1-1976.

Electrification of Vijayawada-Madras Line

1282. SHRI Y. ESWARA REDDY. Will the Minister of RAILWAYS be pleased to state:

(a) at what stage is the electrification work of Vijayawada-Madras line

(b) will it be completed by March, 1976 as scheduled; and

(c) whether the electrification work is being extended upto Kazipet (Madras-Delhi trunk route) and upto Waltair (Madras-Calcutta route) on the other side as requested by Andhra Pradesh Government?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Progress of electrification work on Vijayawada-Madras line, is 20 per cent upto December, 1975.

(b) No. It has been rescheduled for completion in 1978-79.

(c) No.

Savings in Fuel consumption due to Welded Rails (Allahabad Division)

1283. SHRIMATI PARVATHI KRISHNAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether long welded rail-tracks in Allahabad Division have helped to save in fuel consumption; and

(b) in view of Allahabad Division's experience, whether Government intends to introduce the same system in rail-tracks all over the country?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Long welded rails reduce the tractive resistance and this helps to save fuel consumption to some extent.

(b) Yes. It is the intention to introduce long welded rails on Indian Railways progressively.

Import of Oil by India from O.P.E.C.

1284 SHRIMATI PARVATHI KRISHNAN: Will the Minister of PETROLEUM be pleased to state:

(a) what is the total quantity of oil India had to import from O.P.E.C. in 1974-75 and 1975-76;

(b) what is the total amount Government had to pay in foreign Exchange; and

(c) how far has it affected the foreign exchange reserve?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The information is given below:—

Year	Quantity
	(Million tonnes)
1974-75	13.99
1975-76 (April—November)	9·09

(b) The information is given below:

Year	Value (Rs/crores) (Provisional
1974-75	917·71
1975-76 (April—November)	659·86

(c) Any increase in import bill results in a strain on country's balance of payments and consequently on the foreign exchange reserves of the country. There was a big increase in the import bill for 1974-75 and consequent pressure on the foreign exchange reserves of the country. It is, however, not possible to isolate the impact of increase in the import bill of oil alone on the foreign exchange reserves.

Agreements with certain Arab Countries to import Oil

1285. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of PETROLEUM be pleased to state:

(a) the total import of oil in the year 1973-74 and 1974-75 and total cost thereof;

(b) whether any agreement has been signed with Iraq, Iran, Kuwait and Egypt to get more oil at reasonable price;

(c) if so, the broad features thereof; and

(d) the approximate requirement of oil in the year 1976-77 from abroad?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The information is given below:—

Year	Quantity of crude oil	Value
	(Million tonnes)	(Rs. /crores)
1973-74	13·87	416·38
1974-75	13·99	917·71 (Provisional)

(b) and (c). Arrangements for supply of crude oil during 1976 from Iraq and Iran are in different stages of negotiation. Under the Trade Agreement for 1976, signed between India and Egypt, crude oil has been identified as one of the items that could be considered for import by India. The possibility of importing some deficit products from Kuwait is under consideration.

(d) A decision on the quantum of import of oil during 1976-77 has yet to be taken.

Clearance of Wagons by Public Sector Undertakings

1286. SHRI N. K. SANGHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there has been any improvement in the time taken by the public sector units in clearing the wagons; and

(b) what steps are being taken to further streamline the procedure to keep the detention of the wagons to the minimum?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The information is being collected and will be laid on the table of the Sabha.

Schemes initiated by Zonal Railways to win back Traffic

1287. SHRI N. K. SANGHI: Will the Minister of RAILWAYS be pleased to state:

(a) efforts being made by the different Railways to win back the traffic which has gone over to road transport;

(b) whether schemes have been initiated by each Railway for this purpose; and

(c) if so, the broad features and the outcome thereof with special reference to the performance of the Northern Railway in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) All possible efforts are being made by the Railways to win back traffic from road and towards this end they have introduced a number of customer oriented services.

(b) Yes.

(c) The specific steps taken/schemes initiated by the Railways to attract traffic are:—

(i) Maintaining close liaison with trade and industry.

(ii) Introduction of door to door pick up and delivery of containerised goods, freight forwarder scheme (another form of door to door service) in goods and parcels, operation of Street Collection and Delivery Services, Mobile Booking services and opening of Out Agencies in areas not served by rail.

(iii) Introduction of Super Ex-Press Goods trains with guaranteed transit time on major trunk routes to provide quick transit.

(iv) Introduction of Quick Transit Service between important Commercial centres. Under this service, Railways undertake to deliver goods within a fixed target time on payment of a nominal surcharge which is refunded in case the goods are not delivered within the target transit time.

(v) Exempting high profit yielding commodities, susceptible to diversion to road, from the purview of operating restrictions and quota limitations, as far as possible.

(vi) Declaring important goods sheds on each Zonal Railway free from operating restrictions, as far as possible, for all variety of traffic.

(vii) Quotation of special station to station rates, which are lower than normal tariff rates, with a view to attracting traffic.

(viii) Revitalisation and strengthening of claims prevention organisation with a view to preventing claims and prompt settlement of claims arising out of goods lost or damaged.

(ix) Exemption from wagon registration fees in respect of 36 commodities.

(x) Preferential movement to block rakes with a view to provide faster transit.

As regards the performance of Northern Railway, the Railway has introduced the following specialised services:—

Service	No. available
1. Container . . .	3
2. Freight Forwarder in Goods	12
3. Freight Forwarder in Parcels	3

The Railway is also running export specials once a week from Amritsar to

Bombay with assured movement in record time.

Petroleum Products for Agriculture and Industries

1288 SHRI N. K SANGHI: Will the Minister of PETROLEUM be pleased to state:

(a) whether steps have been taken by Government to ensure that the stock of petroleum products is maintained adequately to meet the needs of the core sector like agriculture, industry and transport for the next year;

(b) to what extent the needs for petroleum products is at present being met through our internal production; and

(c) what are the projections for increasing production during the next three years?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI) (a) All efforts are being continued to maintain adequate stocks of petroleum products to meet the essential demands, particularly, of the core sectors

(b) At present, nearly 2/3rds of the requirements of crude oil of the country are being met through imports and 1/3rd through internal production. Besides, such refined petroleum products in which the country is deficit are also imported to meet the current demands

(c) It is estimated that by 1978-79, indigenous production of crude oil will increase to about 14.08 million tonnes, against the present level of about 8.35 million tonnes.

Production of Soap of Janata Variety

1289 SHRI RAJDEO SINGH: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state.

(a) whether the Indian Standards Institution is currently engaged in prescribing ISI specifications for *Janata variety of toilet soap*;

(b) whether as a result of negotiations with the Indian Soap and Toiletery Makers Association, the import of tallow except for marginal quantities, has been discontinued thereby saving some amount in foreign exchange, and

(c) if so whether any proper substitute for tallow has been found out and properly examined to see that it does not contain any ingredient to harm the skin?

THE DEPUTY MINISTER IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI C P MAJHI): (a) Yes, Sir

(b) Yes, Sir, the import of tallow has been discontinued for the organised sector of the soap industry, except on REP licences.

(c) To substitute tallow the soap industry is increasingly taking to the use of minor oils after due processing So far no report has been received about such soap having any harmful effect on the skin.

Supply of Furnace Oil and Diesel Oil to Punjab

1290 SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM be pleased to state:

(a) the total quantity of furnace oil, diesel and kerosene oil supplied to Punjab during the last six months, and

(b) whether there has been any increase in the supply of these items as

compared to supply made during the first six months of 1975?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). Except for kerosene, no quotas for petroleum products are allocated on State-wise basis. Kerosene supplies made to Punjab State during the last six months i.e. July to December, 1975 were 51027 MTs as compared to 45795 MTs supplied during January to June, 1975. State-wise statistics of supplies in respect of other petroleum products are not being maintained.

Release of Furnace Oil by IOC to Industries in Punjab

1291. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM be pleased to state:

(a) whether Indian Oil Corporation has not been releasing furnace oil and other oil products to small scale industries in Punjab during the last one year;

(b) if so, steps taken in this regard, and

(c) whether bulk quota of different oil products has been placed at the disposal of the State Government?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). No, Sir. Till 30-4-1975 releases of furnace oil to small-scale industries in Punjab were made on the basis of allocations of the State Level Committee on furnace oil. From 1-5-75, furnace oil is being released by IOC to all already established industries in Punjab without any restrictions.

(c) Except for kerosene, for which bulk allocations are made on a monthly basis no petroleum product is currently being allocated on State-wise basis.

Allocation of Petroleum Products to Punjab

1292. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM be pleased to state:

(a) whether there has been acute shortage of petrol, diesel and kerosene oil in Punjab during the last year;

(b) whether the State Government had approached the Centre for increased allocation of these petroleum products; and

(c) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) No acute shortage of petrol, diesel or kerosene oil in Punjab was reported during the last year.

(b) No, Sir.

(c) Does not arise.

Supply of Furnace Oil to Industries in Punjab

1293. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM be pleased to state:

(a) whether some industries in Punjab have been badly affected due to inadequate supply of furnace oil and other oil products during the last one year; and

(b) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) No such reports have come to the notice of this Ministry.

(b) Does not arise.

Oil Exploration by Oil India Limited in Brahmaputra Region

1294. SHRI P. GANGADEB: Will the Minister of PETROLEUM be pleased to state:

(a) whether lately Oil India Limited has started investigation for oil drilling in the Brahmaputra region,

(b) what is the progress of its investigation and results achieved so far; and

(c) the total number of wells dug till December, 1975?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI) (a) Oil was discovered in the Brahmaputra valley in 1953 at Nahorkatiya Oil India's operations have centred round these discoveries from the inception of the Company.

(b) Arising out of its activities in the Brahmaputra valley, the Company has already produced 35 21 million tonnes of crude oil till the end of 1975. During the process of its operations the Company has also added to the crude oil reserves discovered in this area so that its expectations of gross ultimate recovery (proved and indicated) stand at 72.7 million tonnes on the basis of assessments made as at 1-1-75.

(c) The total number of wells drilled so far is 356

Distilled Water Parcels fraud at Darbhanga Station

1295. SHRI BHOGENDRA JHA Will the Minister of RAILWAYS be pleased to state:

(a) whether a big fraud was detected at Darbhanga Railway Station of the North Eastern Railway (Samastipur Division) from where pieces of stones and bricks in place of distilled water had been sent to Agra Fort through railway parcel; and

(b) if so, action taken against the culprits?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) Yes, on 19-9-1975, 14 cartons were booked ex Darbhanga to Agra Fort and the contents of the cartoons were declared as water injections. On suspicion the packages were opened and were found to contain empty containers of distilled water and 6 bricks in each carton

(b) Government Railway Police Darbhanga arrested one accused who has since been charge-sheeted and the case is subjudice One more accused is absconding

Uniform Type of Movable Trolleys

1296 SHRI BHOGENDRA JHA:
SHRI M. C DAGA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the vendors throughout the country have been asked to have movable vending trolleys of an uniform specified type,

(b) if so, facts including costs of trolleys, and

(c) whether vendors at small stations with limited sales find it difficult to keep the costly trolleys and representations have been made from Pali (Western Railway) and other wayside stations to permit them to keep the existing trolleys, and

(d) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

(c) No.

(d) Does not arise.

Vacation of Encroachment on Railway Land (North Eastern Railway)

1297. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) the facts about the vacation of encroached railway lands throughout the country including at Khajouli and other stations under Samastipur Division of North Eastern Railway;

(b) whether poor shop-keepers at Jainagar and other railway stations have been representing for settlement of pieces of land to them, and

(c) if so, the causes of delay in sanctioning the same?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) A total number of about 34200 encroachments on railway land have been vacated, in the recent past, on the entire Indian Railways, including those at Khajauli and other stations under Samastipur Division of North Eastern Railway

(b) and (c). Presumably the reference here, is for Jaynagar and other stations of Samastipur Division of North Eastern Railway. If so, no such representations have been received by the North Eastern Railway Administration, from poor shopkeepers.

Report of Takru Commission

1298. SHRI INDRAJIT GUPTA: Will the Minister of PETROLEUM be pleased to state:

(a) whether Government have received the report of the Takru Commission for the Haldia-Barauni Pipelines Inquiry;

(b) if so, the principal recommendations contained in the said report and whether Government have accepted them; and

(c) reasons for not laying the report on the Table of the House?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) Yes, Sir.

(b) and (c). The report is under consideration and will be laid on the Table of the House along with a memorandum of action taken thereon, as soon as the views of Government on the findings of the Commission are finalised.

Acquisition of Land for Construction of Howrah-Amta Broad Gauge Line

1299. SHRI SAROJ MUKHERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the land necessary for setting up railway track for the construction of Howrah-Amta broad gauge railway line has been acquisitioned all along the route; and

(b) if not, the reasons for delay?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Land acquisition is in progress. Out of 271 652 acres of land asked for in the first phase, covering 16.60 kms., possession of 235.75 acres of land has so far been obtained.

---

12 hrs.

RE: QUESTION OF PRIVILEGE

कुमारी मणिबेन पटेल (साबरकंठा) : अध्यक्ष महोदय, रूल 222 के अन्तर्गत मैं प्रिविलेज का निम्नलिखित मामला सदन में उठाना चाहती हूं ।

तारीख 12-12-75 को सायं 4 बजे जब मैं ने चांदनी चौक, दिल्ली में सत्याग्रह किया, तो पुलिस ने मुझे गिरफ्तार किया और मुझे काश्मीरी गेट पुलिस स्टेशन महिला पुलिस के साथ पुलिस जीप में ले जाया गया । वहां

पर मुझे तीन घंटे बिठा रखने के बाद पुलिस द्वारा ही मेरे घर पर ले जा कर छोड़ा गया। इस आशय की सूचना न तो लोक सभा के किसी बुलिटेन में छपी है और न ही सदन को इस बारे में सूचित किया गया है।

ऐसा लगता है कि पुलिस अधिकारियों ने अध्यक्ष महोदय को मेरे गिरफ़्तार होने, तीन घंटे तक पुलिस स्टेशन पर रखने और रिहा करने की सूचना ही नहीं दी है। इस तरह संसद-सदस्या की हैसियत से मेरा और सदन के प्रिविलेज का भंग हुआ है। इसलिए मेरा सुझाव है कि यह मामला प्रिविलेज कमेटी को सौंपा जाये।

MR. SPEAKER: The Home Minister will make enquiries and bring up this matter.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): I shall make enquiries whether there was any satyagraha. We got into touch with them and the Delhi Administration informed us that there was no arrest made still I shall make enquiries from the Delhi Administration as to what was the correct position.

I want to correct my statement. I only say that I shall make enquiries and find out the correct position.

12.02 hrs.

PAPERS LAID ON THE TABLE

REVIEWS AND ANNUAL REPORTS OF MADRAS FERTILIZERS LTD., MADRAS, HINDUSTAN INSECTICIDES LTD., NEW DELHI, NATIONAL FERTILISERE LTD., NEW DELHI, AND FERTILISERS AND CHEMICALS, TRAVANCORE LTD., FOR 1974-75

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act 1956:—

(1) (a) Review by the Government on the working of the Madras Fertilizers Limited, Manali, Madras, for the year 1974-75.

(b) Annual Report of the Madras Fertilizers Limited, Manali, Madras, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT-10223/76.]

(2) (a) Review by the Government on the working of the Hindustan Insecticides Limited, New Delhi, for the year 1974-75.

(b) Annual Report of the Hindustan Insecticides Limited New Delhi, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT-10224/76.]

(3) (a) Review by the Government on the working of the National Fertilizers Limited, New Delhi, for the year 1974-75.

(b) Annual Report of the National Fertilizers Limited New Delhi, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT-10225/76.]

(4) (a) Review by the Government on the working of the Fertilizers and Chemicals, Travancore Limited, for the year 1974-75.

(b) Annual Report of the Fertilizers and Chemicals, Travancore Limited, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT-10226/76.]

NOTIFICATIONS UNDER DELIMITATION ACT

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): I beg to lay on the Table a copy each of the following Notification (Hindi and English versions) under sub-section (2) of section 11 of the Delimitation Act, 1972:—

(1) S.O. 12(E) published in Gazette of India dated the 3rd January, 1976 making certain corrections in the Delimitation Commission's Order No. 13 dated the 15th April, 1974 in respect of the Union Territory of Goa, Daman and Diu.

(2) S.O. 13(E) published in Gazette of India dated the 3rd January, 1976 making certain corrections in the Delimitation Commission's Order No. 44 dated the 30th June, 1975 in respect of the State of Rajasthan.

(3) S.O. 16(E) published in Gazette of India dated the 5th January, 1976 making certain corrections in the Delimitation Commission's Order No. 32 dated the 1st January, 1975 in respect of the State of Andhra Pradesh.

(4) S.O. 17(E) published in Gazette of India dated the 5th January, 1976 making certain corrections in the Delimitation Commission's Order No. 35 dated the 8th February, 1975 in respect of the State of Meghalaya.

(5) S.O. 26(E) published in Gazette of India dated the 6th January 1976 making certain correction in the Delimitations Commission's Order No. 7 dated the 18th October, 1973 in respect of the State of Manipur.

(6) S.O. 27(E) published in Gazette of India dated the 6th January 1976, making certain corrections in the Delimitation Commission's Order No 36 dated the 15th February, 1975 in respect of the State of Assam

(7) S.O. 29(E) published in Gazette of India dated the 8th January, 1976 making certain corrections in the Delimitation Commission's Order No. 9 dated the 31st December, 1973 in respect of the State of Orissa.

(8) S.O. 34(E) published in Gazette of India dated the 9th January, 1976 making certain corrections in the Delimitation Commission's Order No. 29 dated the 7th December, 1974 in respect of the State of Madhya Pradesh. [*Placed in Library. See* No. LT-10227/76]

STATEMENT *re* DELAY IN LAYING ANNUAL REPORT OF ENGINEERS INDIA LTD., NEW DELHI FOR 1972-73

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): I beg to lay on the Table a statement (Hindi and English versions) explaining the reasons for delay in laying the Annual Report* of the Engineers India Limited New Delhi, for the year 1972-73. [*Placed in Library. See* No. LT-10226/76.] [Laid on the Table of Lok Sabha on 27-8-74.]

STATEMENT *re* DELAY IN LAYING ANNUAL REPORTS OF INDIAN DRUGS AND PHARMACEUTICALS LTD, ETC. AND REVIEW AND ANNUAL REPORT OF HINDUSTAN ANTIC-BIOTICS LTD., PIMPRU

THE DEPUTY MINISTER IN THE MINITSRY OF CHEMICALS AND FERTILIZERS (SHRI C. P. MAJHI): I beg to lay on the Table—

(1) A statement (Hindi and English versions) explaining the reasons for delay in laying the Annual Reports** of the—

(i) Indian Drugs and Pharmaceuticals Limited, New Delhi, for the year 1972-73;

(ii) Pyrites, Phosphates and Chemicals Limited, Dehri-on-sone, Distt Rohtas (Bihar) for the year 1972-73; and

(iii) Fertilisers and Chemicals, Travancore Limited for the year 1972-73. [*Placed in Library. See* No. LT-10229/76.] [Laid on the Table of Lok Sabha on 27-8-74.]

(2) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Review by the Government on the working of the Hindustan Antibiotics Limited, Pimpri, Poona for the year 1974-75.

(ii) Annual Report of the Hindustan Antibiotics Limited, Pimpri, Poona for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library See* No. LT-10230/76.]

NOTIFICATIONS UNDER INDIAN RAILWAYS ACT

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) issued under section 47 of the Indian Railways Act, 1890:—

(1) The Railways Red Tariff (First Amendment) Rules, 1976, published in Notification No. G.S.R. 93 in Gazette of India dated the 17th January, 1976.

(2) The Railways Red Tariff (Second Amendment) Rules, 1976, published in Notification No. G.S.R. 92 in Gazette of India dated the 17th January, 1976. [*Placed in Library. See* No. LT-10231/76.]

ANNUAL ACCOUNTS AND AUDIT REPORT OF THE UNIVERSITY GRANTS COMMISSION FOR 1972-73

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): I beg to lay on the Table a copy of the Annual Accounts (Hindi and English versions) of the University Grants Commission for the year 1972-73 together with the Audit Report thereon, under sub-section (4) of section 19 of the University Grants Commission Act, 1956. [*Placed in Library See* No. LT 10232/76.]

12.042 hrs.

RELEASE OF MEMBER

MR. SPEAKER: I have to inform the House that I have received the following telegram dated the 24th January, 1976, from the Superintendent, Jail, Delhi:—

"Shrimati V. R. Scindia M. P., MISA detenu, has since been released on parole for one month on 23-1-1976 *vide* order of A. D. M., Delhi."

12.04½ hrs.

COMMITTEE OF PRIVILEGES

SEVENTEENTH REPORT

SHRI N. K. P. SALVE (Betul): I beg to present the Seventeenth Report of the Committee of Privileges.

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

TWENTY-THIRD REPORT

SHRI S. M. SIDDAYYA (Chamarajanagar): I beg to present the Twenty-third Report of the Committee on Absence of Members from the sittings of the House.

PUBLIC ACCOUNTS COMMITTEE

HUNDRED AND NINETIETH REPORT

SHRI H. N. MUKHERJEE (Calcutta—North-East): I beg to present the Hundred and ninetieth Report of the Public Accounts Committee on action taken by government on the recommendations contained in their Hundred and forty-sixth Report on some of the paragraphs included in the Report of the Comptroller and Auditor-General of India for the year 1972-73, Union Government (Defence Services)—Departments of Defence and Defence Production.

COMMITTEE OF PRIVILEGES

EXTENSION OF TIME FOR PRESENTATION OF REPORT

SHRI N. K. P. SALVE (Betul) beg to move:

"That this House do further extend upto the last day of the next session the time for the presentation of the Report of the Committee of Privileges on the question of privilege regarding handcuffing of Shri Ishwar Chaudhry, M. P., at Patna on the 5th August, 1974."

MR. SPEAKER: The question is:

"That this House do further extend upto the last day of the next session the time for the presentation of the Report of the Committee of Privileges on the question of privilege regarding handcuffing of Shri Ishwar Chaudhry, M. P., at Patna on the 5th August, 1974."

The motion was adopted.

12.08 hrs.

STATEMENT RE. MINISTER OF EXTERNAL AFFAIRS' RECENT VISIT TO NEPAL

THE MINISTER OF EXTERNAL AFFAIRS (SHRI YESHWANTRAO CHAVAN): I visited Nepal from 19th to 22nd January 1976 at the invitation of His Excellency Mr. Aryal, the Foreign Minister of Nepal. During the visit, I had an audience with His Majety the King of Nepal. I had discussions with the Prime Minister, Minister of Agriculture and Irrigation and other Ministers of His Majesty's Government. I had extensive discussions with the Foreign Minister.

The discussions covered many matters of mutual interest in the bilateral and international fields. The discussions were frank and were held in a friendly atmosphere, so characteristic of the close relations between India and Nepal. As the Hon'ble Members are aware, our relations with Nepal have been fashioned by geography, history and culture. Yet, it is necessary to be vigilant so that no misunderstandings are allowed to be created or built up between us. This can be ensured by a continuous process of a free and frank dialogue at all levels so that there is a clear appreciation of each other's viewpoints, interests and concerns. My discussions with the Foreign Minister of Nepal and his colleagues were guided by the realisation of our inter-dependence and the constant need to review our relationship in the light of contemporary realities It is a basic tenet of our foreign policy to build enduring relationship of friendly cooperation with our neighbours on the basis of equality, receiprocity and mutual benefit.

At present, we have an on-going programme of economic cooperation with Nepal in various fields. During my visit, we discussed the ways and means of expanding the area of cooperation in order to further strengthen our relationship. Among other matters of bilateral interest, we discussed the question of jointly harnessing the vast potential of river waters for the benefit of both the countries in the field of flood control, irrigation and generation of power. There is

much that can be done in this regard. On our side, we re-affirmed our keen desire to proceed expeditiously with the projects such as Devighat and other projects, previously agreed upon and ready for execution. As a result of the talks, we have evolved a joint approach which clearly spells out the priorities to be attached to various projects, the manner and the time frame of their implementation. In particular, I would like to mention that both sides agreed to continue the work on the Karnali Project as under the existing arrangement and to undertake, at the earliest possible, the joint investigation of the Pancheshwar Dam Project and the Rapti Flood Control Project. We also discussed many other matters of concern to either side in a spirit of friendship and understanding.

As members of the Non-Aligned Movement and in view of the Non-Aligned Summit to be held in Colombo this year, we discussed the role of non-aligned nations in the changing world enviornment and the need for strengthening the movement and safeguarding it against division and dilution of its principles.

As the Hon'ble Members are aware, we have been striving to build a structure of durable peace and cooperation in our region. In that context, the stability, peace and progress of our neighbours is very vital for our own stability, peace and progress. Therefore, we are happy to have had the privilege of extending our economic cooperation to Nepal in the past and we will continue to do so to the best of our ability. During my visit, I had an opportunity to get some glimpses of the fine efforts for development of Nepal which are being made under the leadership of His Majesty King Birendra. I am very hopeful that as a result of the discussions, we will be able to take positive steps forward for strengthening our friendly relations, and mutually beneficial cooperation between the Government and people of India and Nepal.

12.12 hrs.

PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) REPEAL BILL*

THE MINISTER OF STATE OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA): I beg to move for leave to introduce a Bill to repeal the Parliamentary Proceedings (Protection of Publication) Act, 1956.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to repeal the Parliamentary Proceedings (Protection of Publication) Act, 1956."

SHRI H. N. MUKHERJEE (Calcutta-North-East): We all know that it is not normal to oppose Government legislation at the introduction stage, but on this occasion, I am constrained to do so because this is a Bill which we shall oppose from A to Z. The reason is that quite gratuitously, Government has come forward with legislation which strikes at the roots of Parliament functioning in an efficient manner and responsively to the needs of the country. Later when the occasion comes, we shall refer to the history which lies behind the principle that parliamentary proceedings should be made known to the people through free reporting in the press. Later we may have occasion to refer to such cases of constitutional law which some people on the Treasury Benches might have heard of, like Stockdale *Vs.* Hansard and Wason *Vs.* Waller, where Lord Cockburn gave his historic judgment, but it is not on that account that at the moment I am opposing the introduction of this Bill.

---

*Published in Gazette of India Extraordinary Part II, section 2, dated 27-1-76.

[Shri H. N. Mukherjee]

We do not want a captive Parliament. What happens in the Parliament has to be made known to the people of this country and we have a press which, whatever its deficiencies, is at least able to report back to the people what Parliament is trying to do. The people of our country have a right, which right Government cannot with impunity take away, to know what is being done inside Parliament. When the Press Commission reported after independence somewhere around 1954, they wanted that the freedom of the press to report freely parliamentary proceedings should be there. We recall how our late friend, Shri Feroze Gandhi, came forward in 1956 to move legislation which took a historic character because of its importance and we adopted to the acclamation of the people and the press, who were clamouring for this right because otherwise they could not even report honestly what was happening in Parliament. I remember Shri Feroze Gandhi telling us on that occasion that he noticed how the proceedings in relation to the companies legislation which was before Parliament were very much truncated because the press people were afraid of all kinds of legal action ensuing a faithful reporting of parliamentary proceedings. Faithful reporting of Parliament, therefore, is something which is absolutely essential to our work and we cannot for the life of us understand how Government considers it necessary to tie Parliament so to speak in such a fashion that what happens in Parliament would not be enabled to be made known to the country outside. We know how censorship operates, how even the statements of ministers including the Prime Minister, are cut out by some people in mock authority functioning as censors I have had the mortification of being told by friends in the press that even in case of reports of parliamentary committees as they are presented to the House, whenever a summary is sent to the press, it is truncated and mauled by some people in the censorship organisation. This kind of thing is going too far. What is the government's objective? Is it the objective to mobilise the enthusiasm of the people and their cooperation in the construction of a new order of society? If that is so, why don't you utilise the emergency powers in order to bring about that true mobilisation and enlistment of the enthusiasm of the people? Instead of that, you clamp one order after the other on parliamentary freedom. Even as we come to Parliament House, I have had to shout a great deal against the security barrier, because I have had the mortification of finding even Members of Parliament being challenged by all kinds of people at all kinds of entry to this House. We are living, so to speak, in an atmosphere as far as this Parliament is concerned, where quite unnecessarily, quite gratuitously and irrespective of the feelings and expectations of the people Government is taking hold of some executive measures, but Parliament would not agree to be a captive body. Parliament is a part of the popular picture; Parliament is the symbol of the people's sovereignty to be exercised in accordance with the new ideals which today have been put forward in order to defeat the mechinations of neo-fascim. But if Parliament is bound hand and foot, if parliamentary proceedings are stopped from being sent out to the country, if we are manacled in the manner that sometimes we fear we are going to be, then, Sir, the entire purpose of the emergency and all the ideals professedly espoused in regard to the emergency would be treated in a shabby manner which again is something which Government should know it ought not to do.

Even though, I know it is abnormal, particularly for some of us who do not want to intervene at this stage of the proceedings, although, I know it is unusual to oppose the introduction of the

Bill but in this case, we oppose this Bill entirely and that is why I ask the House to the extent my voice reaches them to throw this Motion by the Minister of Information & Broadcasting.

SHRI VIDYA CHARAN SHUKLA: I am sorry that Prof. Hiren Mukerjee has read into this Bill which I have introduced before the House, many things which are not really contained in the Bill or have any effect on the freedom of Parliament or functioning of Parliament. May I, with your permission, indicate what is the total effect of this Bill.

After this Bill is passed by the Parliament, it will not inhibit the Members of Parliament from their duty. They can say whatever you are pleased to allow them to say here. All the newspapers can print whatever they want to print as the fair and accurate reporting of the proceedings of Parliament. The only difference that is being made now is that whatever they print will be subject to the common law of the land, that is to say, the immunity that the Members of Parliament enjoy while speaking inside the House and not while speaking outside the House, which was extended to the newspapers, publishers, editors and printers, that immunity is being withdrawn so that in case.... (*Interruptions*). If you have patience, you will understand it. All the allegations, all the ideas, all the matters that are mentioned here or whatever comes in the proceedings of the House, this will not debar them from publishing it. Every word of it will be published by them. But in case a Member of the House whose personal explanation or denial of the allegations made against him, is not published in the newspapers and he feels that his honour should be vindicated by bringing a motion of defamation or a case or suit of defamation in a court of law or a case of defamation against the printer, editor and publisher of the newspaper because he cannot do so against a Member either of this House or the other House, but if the editor wants to print, it, he should be ready to face the common law of the land. He should be able to make a judgment whether this allegation which has been hurled in Parliament against a particular person whether he is a Member or a non-Member, is *prima facie* true or untrue, he should be able to accept the responsibility for the veracity of that particular thing. He is not asked not to publish it. Even a scurrilous thing, even a false thing can be said in this House and can be published but the editor and the printer cannot claim the same immunity that the Members of the Parliament have inside the House. This is the limited purpose of this Bill, i.e., that if the Parliament has certain immunities, that immunity will stay. The functioning of the Parliament is not going to be affected. Prof. Hiren Hukherjee can be re-assured of this, Sir, and you can also very well see that the functioning of this Parliament is not affected by this Bill of repealment. The privileges of MPs. to speak whatever they feel like, with your permission inside the House, is not affected at all. Outside the House, they are subject to common law—editors or not. We are only making them subject to the common law, as the MPs are, outside the House, while they speak outside the House. Sir, (*Interruptions*) let me complete. There would be free reporting of the proceedings of the House and the newspapers will be free to publish them; but that will also be subject to the common law of the land. And to these three things which concern the Bill which has been introduced in the House, I am confining my remarks and my explanation of these things. Other matters regarding entry to the Parliament House, security arrangements etc., do not call for explanation from me; and, therefore, I am not going into those points; but I can re-assure the hon. Member and the House that the functioning of

[Shri Vidya Charan Shukla]

the Parliament will not be affected a single bit by this repealment, nor will the privileges of the MPs be affected, nor the privileges of free reporting will be affected The only thing that will be affected will be that in case the editor, printer or publisher of any newspaper in the country publishes anything, he will have to accept the legal responsibility for publishing it, and in case it is found to be untrue, if it is found to be defamatory under the law, i e under I P C , then he will have to face the consequences as set out in the law That is about all there is to it There is no more (*Interruptions*)

SHRI S M BANERJEE (Kanpur) I have already written to you, Sir The main objection which comes from this Bill, Sir, is one which has not been answered by the hon Minister May I request (*Interruptions*)

MR SPEAKER Ask for clarification It should not be another debate If you seek any clarification, you can ask for it

SHRI S M BANERJEE It is not a debate at all, Sir

MR SPEAKER Very briefly if you seek any clarification

SHRI INDRAJIT GUPTA (Alipore) Either you allow him to speak or don't allow He has given his name You have called him to speak

MR SPEAKER I have not called him to speak

SHRI INDRAJIT GUPTA You have called him to make his submission

MR. SPEAKER: I have called him to speak, if he wants any clarification, very briefly, because we cannot have a debate at this stage. Mr. Banerjee, very briefly, if you want any clarifications, you can say

SHRI S M BANERJEE Sir, allow me to start May I ask

(*Interruptions*)

whether it is not a fact—I am reading from the Statement of Objects and Reasons

"Many newspapers reported with impunity, often on the front page and with banner headlines, such motivated and wrong charges levelled in the Parliament against different persons

It may be, people may call it motivated, but suppose in this House—either it is Birlas Tatas or Jaipurias who have been recently mentioned, it was said of Modi—if you mention all those names etc—or of smugglers who are colluding with some people either on this side or that the question is whether we cannot mention the name —immediately Sir, the Press will be forced not to publish those names If the names of those smugglers and anti-social elements, anti-social elements who hold the country to ransom are not published by the Press why should we mention those names? I want to know whether those names

(*Interruptions*)

MR SPEAKER No more

SHRI VIDYA CHARAN SHUKLA The very same point has been raised now by Shri Banerjee He is an old parliamentarian and he should understand the whole thing better Who is forcing the newspapers not to publish the names that he mentioned here? The newspapers can certainly publish all the names that he mentioned here Nobody is being prevented from pub-

lishing those names (Interruptions) If the hon Member mentions some names in the House, whatever names they are, the newspapers are completely free to publish all those names But if those people whose names are mentioned, whomsoever they may be, from the highest to the lowest, if they find that their honour has been compromised, or they have been defamed it would certainly be open to them to go to a court of law That is all That does not mean that the newspapers are prevented from publishing those names

SHRI INDRAJIT GUPTA That is assuming, that the newspaper will only be reproducing what I or somebody else speak in the House without any further comments

MR SPEAKER He says they can do so All these matters can be taken up when the Bill is debated

SHRI DINEN BHATTACHARYYA (Serampore) May I say a word?

MR SPEAKER You will get a chance when the Bill is taken up

SHRI DINEN BHATTACHARYYA You have allowed other members

MR SPEAKER I do not want to allow a debate on it now You will get a chance No discussion at this moment Let me now put the motion to the vote

The question is

"That leave may be granted to introduce a Bill to repeal the Parliamentary Proceedings (Protection of Publication) Act, 1956"

The motion was adopted

SHRI VIDYA CHARAN SHUKLA I introduce the Bill

STATEMENT RE PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) REPEAL ORDINANCE, 1975

THE MINISTER OF STATE OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA) I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Parliamentary Proceedings (Protection of Publication) Repeal Ordinance 1975

---

12 30 hrs

PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER BILL*

THE MINISTER OF STATE OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA) I beg to move for leave to introduce a Bill to provide against the printing and publication of incitement to crime and other objectionable matter

MR SPEAKER Motion moved

"That leave be granted to introduce a Bill to provide against the printing and publication of incitement to crime and other objectionable matter"

SHRI S M BANERJEE Sir, I rise to oppose the introduction of the Prevention of Publication of Objectionable Matter Bill I find that in 1931 in the Central Legislature an Act on these lines was passed and that was proceeded by an Ordinance promulgated by the Governor-General The Statement of Objects and Reasons appended to the Bill and the one placed before the Central Legislature in 1931 are practically the same

I do not find any reason why it should be introduced. Suppose Government want to avoid some of the

*Published in Gazette of India Extraordinary Part II, section 2, dated 27-1-76

wild statements made by some of the representatives of some of the reactionary forces, like the one calling on the army or the police not to obey the orders of the lawfully constituted government. In the present case, nobody revolted against the government in spite of that statement.

SHRI DINEN BHATTACHARYYA (Serampore): Nobody asked for revolt.

SHRI S. M. BANERJEE: It was suggested by the great leader, Lok Nayak, Jayaprakash Narayan, that the "illegal orders" should not be obeyed. But nobody followed his advice. It is quite clear that in our country, whether the armed forces, the police, the working class in the organised sector or in services, they will not listen to a call given by anybody, if it is a wrong call. In that sense, I do not know what is their fear.

The definition refers to inciting a person to interfere with the production, supply or distribution of foods or other essential commodities or with essential services. It is a laudable thing, but it will be used against the merchant class, against the trade unions, the organised section, on any small pretext. If they want to demonstrate as a manifestation of their hunger, immediately it will be said that it is objectionable and they will be arrested, fined and so on, and they will never see the light of day.

So, I am surprised that this Bill has been brought by my hon. friend, Shri Vidya Charan Shukla, for whom I have love and respect, both. He should have consulted the working journalists for whom he has the greatest regard. Were they consulted? No. So, I say that this Bill needs re-thinking. If you really want to avoid certain things, you should consult the journalists and the trade unions connected with them, sit with them. I am sure that if that had been done, this Bill would have been different.

As it is, in the name of objectionable matter, anything under the sky will be brought and action will be taken against them. They have a huge majority and can get this Bill passed, but I want an assurance from the hon. Minister that at least it will be referred to a Select Committee for discussion, for giving a chance to the journalists and other voluntary organisations to come before the Committee and give their suggestions for defining objectionable matter.

So, I would request him to kindly withdraw the Bill or keep it in obeyeance or at least decide to refer it to a Select Committee. Although we have opposed the whole of the Bill, if he promises that it will be referred to a Select Committee, we might reconsider our opposition.

The ordinance which this Bill is replacing is a document which everybody should read. These working journalists are known for their reputation. They have never been known to support the jute press. They have sacrificed their jobs in support of progressive action of the Government or other parties. They have suffered at the hands of the jute press and the monopolists. The jute press has played havoc with them sometimes, but they feel that this Bill will give a handle and that ultimately the small newspapers will suffer because they will never be able to influence the Government, or defend themselves in a court of law.

In the larger interests of the working people and those who are tillers, I would request the hon. Minister to

re-consider this, to sit with us I can assure him that if there is a sitting of the Select Committee, we shall not let him down We shall certainly make suggestions which will improve the Bill. But if they go on eroding the rights of the press and of the people of this country, we shall definitely oppose it lock, stock and barrel with whatever strength we have got

SHRI VIDYA CHARAN SHUKLA The hon. Member has taken the attitude that this Bill is against the working journalists or the working people Actually, this Bill is against those who are all the time working against the interests of the working journalists, not against the working journalists, because none of the working journalists do the objectionable things which are listed in the ordinance, and I am surprised how a knowledgeable person like Shri Banerjee says that this will affect the working journalists and not the jute press Really it is meant for all those people who have been violating the ethics of journalism day in and day out It is going to affect them only Those who do not violate the well-accepted ethics of journalism have nothing to fear from this

SHRI S M BANERJEE I say that the workers and the trade unions are going to be affected by it

SHRI VIDYA CHARAN SHUKLA I can quote that the working-class as well as working journalists need not fear anything out of this It is only mean for such people who have been defying the freedom of the Press by misusing it in various ways The hon Member might have noticed that the objectionable matters that have been listed are already crimes under various statutes passed by this Parliament The only thing that we are doing is that we are listening them in a proper manner so that in case they are represented by visible representation or printed matters which are published and circulated, only then they will be subject to certain penalties and other things to which, today, they are not Even though it is a crime, when it is printed in the newspaper, printed in the shape of pamphlets or posters, then it is difficut to take action against them Now, with this thing coming on we will be able to take action against those people But those people who are saying things for the benefit of the working-class and the general people of the country, need not fear for this Only such people who violate the ethics of this, have to fear this I did not suspect Mr Banerjee to stand up and oppose the introduction of the Bill It is not possible for us to refer it to the Select Committee because of obvious reasons This being an ordinance, it has to be ratified by Parliament within a certain time.

MR SPEAKER The question is:

> That leave be granted to introduce a Bill to provide against the printing and publication of incitement to crime and other objectionable matter"

The motion was adopted

SHRI VIDYA CHARAN SHUKLA I introduce the Bill

STATEMENT RE PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER ORDINANCE, 1975

THE MINISTER OF STATE OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA) I lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Prevention of Publication of Objectionable Matter Ordinance, 1975

LEVY SUGAR PRICE EQUALISATION FUND BILL*

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): On behalf of Shri Jagjivan Ram, I beg to move for leave to introduce a Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India and for matters connected therewith or incidental thereto.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India and for matters connected therewith or incidental thereto."

The motion was adopted.

SHRI SHAHNAWAZ KHAN: I introduce† the Bill.

BONDED LABOUR SYSTEM (ABOLITION BILL—*Contd.*

MR. SPEAKER: The House will now take up further consideration of the following motion moved by Shri K V. Raghunatha Reddy on the 23rd January, 1976:

"That the Bill to provide for the abolition of bonded labour system with a view to prevanting the economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I am grateful to the Hon'ble Members who participated in the debate. They have shed a lot of light on the strategy that we should adopt for the economic rehabilitation of the bonded labour. Some Members have pointed out that socio-economic legislation is bound to be reduced to a dead letter, if appropriate follow-up steps are not taken on the economic and the social fronts. The Government also share this view. The hon. Members have rightly pointed out that overt and disguised unemployment is rampant in the agrarian sector and there is a disquieting lack of balance between the supply and demand of labour in the rural market. Forced labour or debt-bondage are logical consequences of this imbalance and cannot obviously be done away with only through legislative fiats.

Government have analysed the economic problems that a bonded labourer would face immediately after emancipation. He will not have inputs for production or any supply of credit; he will neither have any professional skill that would enable him to pursue an independent livelihood. He may not be acceptable to the urban labour market either. Even when installed in a profitable activity, he will have no income during the period of gestation of any income-generating process; therefore, he may have to be given a consumption subsidy during the gestation period. The bonded labourer

---

*Published in Gazette of India Extraordinary, Part II, section 2, dated 27-1-76.

†Introduced with the recommendation of the President.

who is used to a world of domination and servitude will not obviously be aware of his rights and will not have any straying-power in the competitive labour market. At times, he may not even like to undergo the strenuous process of economic rehabilitation and may prefer reversion to thraldom. All these aspects of the problems have been taken into account by the Central Government in preparing the guidelines for the State Governments. The Union Labour Ministry has assumed the nodal role in monitoring and in coordinating the activities of different state Governments under this Bill. In this case, in the last Labour Ministers' Conference, it had been decided that the relief that should be given to the bonded labour must be included in the State Plan and that the scheme must be sent to the Labour Ministry so that the Labour Ministry also might be in a position to take up this matter with the Planning Commission.

Some hon. Members have suggested that some more names should be added to the explanation of the Section. I may humbly point out that the explanation is only an illustrative list and cannot be comprehensive. Our purpose is to clarify to the courts the intention of the legislature. The names we have selected represent a cross-section of different types of debt bondage and forced labour. These examples will help the courts to interpret the definition of the bonded labour system. It was never our intention to make the list comprehensive. In fact, there is such a wide spectrum of different systems of forced labour in the country that it is impossible to enumerate them exhaustively and any attempt to do so will complicate the matter.

I would like to submit in this context that what is important in the legislation is the definition of bonded labour system. Even though one might give an illustration which raises a presumption in law, unless that system itself is brought within the definition of bonded labour system given in the enactment itself, the presumption that would arise by way of an illustration itself will not become law because in the case of rebuttable presumptions, as you know, under the law, under the Evidence Act, any presumption that would arise will only shift the burden of proof. That is not an end in itself. The burden of proof can again be shifted by introducing evidence which would go to rebut the presumption that is raised under the Evidence Act. Therefore, what is necessary and what is important is a concrete definition given about the bonded labour system in the enactment. That is the crucial fact as far as law is concerned. It is not so much the names enumerated by way of presumption to be raised under the law. Once the names are given, any court is expected to raise a presumption even wtih regard to the names that are not mentioned since some evidence is introduced with regard to the bonded labour system. This is what is expected of the courts or the authorities which are mentioned in the enactment.

Some hon. Members have emphasized the necessity of organising the rural poor. The Government are seized of the problem caused by the lack of organisation in the rural sector. Steps are being taken by the Union Ministry of Labour and the National Labour Institute to create an ethos conducive to collective bargaining by the agrarian labour. This is a problem that must be taken up by the trade union organisation. Already the INTUC has taken up the problem to organise rural labour and, I hope, other trade unions also will take up this matter.

Some hon. Members have said that some State Governments have erroneously reported that there is no bonded labour in their jurisdictions.

[Shri Raghunath Reddy.]

There has not been an extensive survey of the bonded labour system in the country. But we are requesting the State Governments to conduct surveys and to identify areas where the system still exists. The enactment of this Bill surely will generate awareness and enthusiasm among the socially conscious section of the intelligentsia and that will definitely open up new channles of information.

In this connection, I might also point out that in the Labour Ministers' Conference it was decided to request the Commissioner for Scheduled Castes and Scheduled Tribes to utilise his organisation for the purpose of conducting surveys in certain States for the purpose of identifying the areas where the bonded labour exists and the extent to which it is operating and the remedial measures that can be taken by the State Government. I am happy to say that the Commission for Scheduled Castes and Scheduled Tribes has already agreed to this. I know, the problem is serious. It is not the legislation alone that will be able to deal with the problem. It is only when the social conscience of man is aroused to deal with the social evil that this barbarous system can come to an end

Some hon. Members have suggested that the punishments prescribed in the Bill should be enhanced. No punitive action on its own can bring out the fundamental transformation which this Bill envisages. Moreover, increased punishments may not be compatible with the penal provisions in other statutes

Some other members wanted rigid dead-lines to be imposed in respect of the time-limits for restoration of property and similar matters. We are not inclined to accept these amendments because rigid dead-lines may be considered to be arbitrary by the courts and one has to take a pragmatic view of the processes involved which may not be completed within the time limit suggested. The court is given the power and, also, some authorities are given power in order to restore property and I have no doubt in my mind that the courts will take the least possible time and the authorities will take the least possible time in order to restore property. Suppose you put a time limit, unless you prescribe the consequences of not acting within a particular time limit, what would happen is this. The courts have interpreted that, notwithstanding any time limit being put, in such cases where the consequences are not indicated, the time limit put is only directory and not mandatory and, therefore, putting a particular time limit is not going to help us in solving this problem.

There are proposed amendments for setting up of vigilance committees at the State and at the Centre. As I have already told you, the Union Labour Ministry is functioning as nodal Ministry for monitoring and coordination. Secretary, Ministry of Labour is the Chairman of the administrative committee set up at the central level State Governments have also been requested to set up watchdog committees at the State level We, therefore, don't think that the suggested amendments are necessary at this stage.

The intention, as I have told you, is to have vigilance committees at the district level and the subdivisional level. Even assuming there are State and Central Committees, these committees can meet only occasionally. As for as the operational part of executing the law is concerned, it is the District Committees and the Sub-Divisional Committees which can go immediately into action and since the District Magistrate is made the Chairman of the Committee, he can go into action with all the powers which a District Magistrate can exercise. Otherwise,

any other Committee cannot be a statutory committee but can only be an optional committee without capacity to exercise any power. Therefore, the District Magistrate is made responsible for this purpose—the District Magistrate at the district level and the Sub-Divisional Magistrate at the sub-divisional level—because these problems will arise in our day-to day life and occasional meetings of a committee will not solve them. These problems may arise every day and sometimes even every hour and, therefore, the District Magistrate and the Sub-Divisional Magistrate would be the proper authorities to deal with them.

The terminological changes suggested in respect of Section 3 and Section 14 do not imply any material change and we do not agree to the amendments.

There is an amendment providing that it should be mandatory for the State Governments to take certain measures in respect of the rehabilitation of bonded labourers After careful examination, Government have decided that a categorical section of this type is not necessary As I have already told you, State Governments are taking appropriate action for the implementation of the Bonded Labour System (Abolition) Ordinance. A perusal of the various provisions of law would indicate that there are provisions in regard to coordinating the efforts of the rural banks and some other rural finance institutions; all these are indicated in the law itself. It means that the various financial institutions would come to the aid of the bonded labour for the purpose of rehabilitation. That is the intention of Parliament expressed specifically in the legislation. Therefore, the intention is to let it be implemented by the concerned authorities in this respect.

I again express my heart-felt thanks to the Hon. Members who participated in the debate and showed keen interest in the Bill. It is only natural that this House which has always stood for the dignity of human labour and the rights of the downtrodden will support this Bill unanimously. I have no doubt that the hon. Members will support this Bill without any hesitation and unanimously At the same time, I would also appeal to the Hon. Members to withdraw their amendments. If the amendments should become absolutely necessary, I will not feel hesitant to come forward before this House with such appropriate amendments after having gained some experience in the matter.

MR. SPEAKER: The question is:

"That the Bill to provide for the abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration"

The motion was adopted.

We will now take up clause by clause discussion. Clause 2. There are amendments by Shri Kathamuthu, Shri Ramavatar Shastri and Shri Siddayya. Are you moving your amendments?

SHRI M. KATHAMUTHU (Nagapattinam): Yes.

SHRI RAMAVATAR SHASTRI: Yes.

SHRI S. M. SIDDAYYA: All except 67.

Clause 2— (*Definitions*)

SHRI M. KATHAMUTHU (Nagapattinam): I beg to move:

[Shri M. Kathamuthu]

Page 2, line 20,—

add at the end—

"Vettian, Pannaiyal, Vallurkavu Panam, Nilpu Panam, Subashi and similar other systems existing in any part of the country" (13)

SHRI RAMAVATAR SHASTRI (Patna): I beg to move:

Page 2, line 20,—

add at the end—

"Hari-begari, Halwahi, Kamiauti, Bandhuagiri and such other forms of bonded labour prevalent in any part of the country". (30)

SHRI S. M SIDDAYYA (Chamarajanagar): I beg to move:

Page 2, line 16,—

after "Basahya," *insert* "Begar," (6)

Page 2, line 17,—

after "Garru-Galu," *insert* "Gothi," (62)

Page 2, line 17,—

after "Holya," *insert* "Ijhari," (63)

Page 2, line 17,—

after "Kamiya," *insert* "Kamla," (64)

Page 2, line 18,—

after "Lakhari," *insert* "Mahidari," (65)

Page 2, line 18,—

after "Munish system," *insert* "Nadappu, Nilpupanam," (66)

Page 2, line 20,—

after "Seri," *insert* "Sonkiya, Vallurkavu, Valva Veti," (68)

SHRI M. KATHAMUTHU: The hon Minister, when he spoke, told us that if he accepts the amendments to add some more names of the bonded labour system, the list would become exhaustive At it is, now, if a case is taken to the court, how will the Court interpret this? If they do not find the name of a particular system in the Act, about which complaint has been raised, they will reject the case Therefore, I would request the hon Minister to agree to include all the names that I have mentioned in my amendment; or, he may at least agree to add the words, 'and similar other systems existing in any part of the country'.

श्री रामावतार शास्त्री अध्यक्ष जी, जहा पर बन्धक लेबर की परिभाषा दी गई है, वही मैं एक शब्द जोडना चाहता हूं। आप जानते हैं कि बिहार मे कई प्रकार के बन्धुआ मजदूर है जिनमें हडरी-बेगारी, हलवाही, कमियौरी, बन्धुआगिरी प्रथाए है। इन नामो का जिक्र इस मे नही है। अगर इन नामो का जिक्र नही होगा, तो इस तरह का काम करवाने वाले जो लोग है वे इस कानून की गिरफ्त मे नही आ सकेगे। इस मे जो नाम दिया गया है वह मुनिस प्रथा का दिया गया है और सथाल परगना के हर गाव मे यह प्रथा बहुत बडे पैमाने पर है। अभी हाल में हमारे दल के एसेम्बली के सदस्य श्री विश्वेश्वर से मेरी बात हुई और उन्होने बताया कि सथाल परगना के घर घर में यह प्रथा है। इसलिये मैं मत्री जी से यह कहना चाहता हू कि यह जरूरी नही है कि जो बिल मे लिखा है, उतनी ही प्रथा बन्धुआ मजदूरी या बन्धक मजदूरी की है। इन के अलावा भी और प्रथाए विभिन्न राज्यों

में बन्धुआ मजदूरी की हो सकती हैं जैसे कि बिहार में मैंने तीन चार प्रथाओं के बारे में बताया है कि वे वहां पर चालू हैं। अगर उन को आप इस में मेंशन नहीं करेंगे तो वे मजदूर जो इस तरह का काम करते हैं, वे इस के अन्तर्गत नहीं आएंगे और किसी न किसी रूप में बन्धक प्रथा चालू रहेगी। इसलिए मेरा कहना यह है कि मैंने जिन नामों का जिक्र अपने संशोधन में किया है, उन को आप स्वीकार करें।

SHRI S. M. SIDDAYYA: Different names have been included in the list of bonded labour. I have suggested inclusion of the name 'begar' because this exists in Maharashtra. Article 23 of the Constitution also prohibits 'begar'. 'Gothi' exists in Andhra Pradesh and Orissa also. These names have been given by the Commissioner for Scheduled Castes and Scheduled Tribes who had occasion to make an investigation into the matter. In the Bill only 31 names have been mentioned. I want the eleven names, which I have mentioned in my amendments, to be included. As the hon. Minister has already pointed out, if a name is included in the list, a presumption can be raised that it is a form of bonded labour; if it is not included, then it has to be proved that it is a bonded labour. I, therefore, suggest that all my amendments which I have moved may be accepted and the names included in the list, so that the list becomes exhaustive.

THE MINISTER OF LABOUR (SHRI RAGUNATHA REDDY): As I have submitted, this list cannot be made exhaustive. We have indicated this for the purpose of raising the legal presumption. This will give an indication to the courts; if any similar system is mentioned, they can raise the presumption; it is open to the court to draw a presumption under the Evidence Act. Here, in this enactment, the definition is more important than any illustration. The definition given here is:

> "'bonded labour system' means the system of forced, or partly forced labour under which a debtor enters, or has, or is presumed to have, entered, into an agreement with the creditor to the effect that,...."

Here, the definition is more important than any other statement. Even assuming that we include these, still there will be so many other systems also about which we may not have immediate knowledge. Therefore, let us see, how it works. If it does not work, we have no doubt, suitable amendments will be brought. But as I said, what is important is the definition and not the presumptions. I, therefore, respectfully decline to agree with the hon. Members.

MR. SPEAKER: Now I shall put all the amendments to Clause 2 to the vote of the House.

Amendments Nos. 13, 30, 61 to 66 *and* 68 *were put and negatived.*

MR. SPEAKER: The question is.

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 *was added to the Bill.*

Clause 3— (*Act to have overriding effect*)

MR. SPEAKER: Now, we take up Clause 3.

SHRI S. M. SIDDAYYA: I beg to move:

Page 3, lines 34 to 36,—

for "in any enactment other than this Act, or in any instrument having effect by virtue

[Shri S. M. Siddayya]

of any enactment other than this Act."

substitute "in any other law for the time being in force and in any instrument having effect by virtue of any such law." (98)

The clause as worded in the Bill is not properly drafted. I request that the amendment as proposed by me may be accepted by the Minister.

SHRI RAGHUNATHA REDDY: I decline to agree with the hon. Member.

SHRI S. M. SIDDAYYA: Sir, I am not pressing it.

MR. SPEAKER: Has the hon. Member the leave of the House to withdraw his amendment.

SOME HON. MEMBERS: Yes.

Amendment No. 93 was, by leave withdrawn

MR SPEAKER: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill

MR. SPEAKER: Now we take up clauses 4 and 5 There are no amendments to clauses 4 and 5.

The question is:

"That clauses 4 and 5 stand part of the Bill."

The motion was adopted.

Clauses 4 and 5 were added to Bill.

Clause 6—*(Liability to repay bonded debt to stand extinguished)*

MR. SPEAKER: Now, we take up clause 6.

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 4, lines 30 and 31,—

for "as soon as may be practicable" *substitute* "within ten days." (31)

Page 4, lines 36 and 37,—

for "as soon as may be practicable" *substitute* "within ten days". (32)

Page 4 lines 40,—

for "thirty days" *substitute*— "ten days". (33)

Page 4, lines 41 and 42,—

for "within such time as may be prescribed" *substitute* "immediately". (34)

Page 4, line 46,—

for "such time as may be specified in the order" *substitute* "ten days". (35)

श्री रामावतार शास्त्री (पटना) : अध्यक्ष जी, मेरा संशोधन बहुत ही साधारण है। इन्होंने कई जगहों पर as soon as may be practicable कहा है। कहीं इन्होंने कहा है within such time as may be specified in the order. यह कानूनी भाषा इस्तेमाल करने की कोशिश इन्होंने की है। ठीक है लेकिन इस से जो न्याय करने वाले लोग है, वे ज्यादा से ज्यादा समय ले लेते है। तो मेरे संशोधन का मंशा यही है कि इस में समय निर्धारित कर देना चाहिए, कहीं 10 दिन के अन्दर, कहीं 7 दिन के अन्दर और कहीं इतने दिनों के अन्दर क्योंकि जो बडा गुनाह करने वाले लोग है, जमीन मालिक है जोकि बन्धुआ मजदूरी करवाते है, अगर उन को आप पकडना चाहते है तो जाहिर बात है कि इस में आप समय निर्धारित कर दें। As soon as may be practicable या "यथा-सम्भव" इस तरह की गोलमोल भाषा अगर आप लिखते है तो इस से तो काम नहीं चलेगा। तो मेरे संशोधन का मकसद

इतना ही है कि निश्चित समय निर्धारित कर दिया जाए और उस समय में जो भी कार्यवाही करनी है, उस को कर डालिये। कम से कम इस बात को तो आप को मान लेना चाहिए और लोगों को कोई लेटीटयूड या छूट मत दीजिए। "एक्सटेन्ड एज" आप लिख देते हैं और तारीख पर तारीख बढ़ती जाती है जिस के कारण उन्हें कोई कार्यवाही नहीं होती है।

13 hrs.

SHRI RAGHUNATHA REDDY: I have already answered this question we make a mere provision of the time limit without consequences thereof, it would only be directory and not mandatory and no purpose is likely to be served and especially in this matter, there will be a vigilance committee at the District level and also at the Sub-Divisional level and also legal aid is proposed to be given by the vigilance committee. In such circumstances, if we put details it will only be defeating the purpose of law and no useful purpose will be served.

MR. SPEAKER: I will put amendments 31 to 35 of Shri Ramavatar Shastri to vote.

Amendments Nos. 31 to 35 were put and negatived.

MR SPEAKER: Now, the question is:

"Clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7 was added to the Bill.

Clause 8— (*Freed bonded labourer not to be evicted from homestead, etc.*)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 6, line 1,—

for "as early as practicable" *substitute*—"within seven days" (36)

I am not speaking on the amendment.

MR. SPEAKER: It is so kind of you.

Now, I will put amendment No. 36 of Shri Ramavatar Shastri to vote.

Amendment No. 36 was put and negatived.

MR. SPEAKER: I will now put the clause to vote. The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9- (*Creditor not to accept payment against extinguished debt*)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 6, line 7,—

after "with" *insert* "rigorous" (37)

Page 6, line 7,—

for "extend to" *substitute* "not be less than" (38)

Page 6, lines 12 and 13,—

for "such period as may be specified in the order" *substitute* "ten days" (39)

13 hrs.

श्री रामावतार शास्त्री : जो सजा का प्रावधान रखा गया है विधेयक में इसको मैं सख्त करना चाहता हूं। अगर आप सख्त नहीं करेंगे तो जाहिर बात है कि आपका जो मकसद है वह पूरा नहीं होगा। आपने केवल यह लिख दिया है विद इम्प्रिजनमेंट। इतना बड़ा वह जुर्म करेगा बंधक मजदूर रखेगा लेकिन आप कह देते हैं विद इम्प्रिजनमेंट। वह सिम्पल होगी, रिगोरस होगी कुछ पता नहीं है। मैं चाहता हूं कि इस अपराध में सख्त से सख्त सजा होनी चाहिये। इसको तो आपको मान ही लेना चाहिये। इसी तरह से आपने कहा कि विद्दिन में एक्सटेंड टू थ्री यीअर्ज। आप ज्यादा से ज्यादा तीन साल तक की सजा देना चाहते हैं। मेरा संशोधन यह है कि कम से कम तीन साल होनी चाहिये। इससे अधिक हो सकती है लेकिन इतनी तो कम से कम होनी ही चाहिये। टैन इयर्ज

[श्री रामावतार शास्त्री]

वाली पुरानी बात है और उस पर तो मैं बोल ही चुका हूं।

श्री शशि भूषण : (दक्षिण दिल्ली) : शास्त्री जी प्रश्न कर नहीं रहे है। वह स्वय दुखी हैं। मैं जानना चाहता हू कि धर्म पत्नी के जो बंधवा मजदूर हैं उनके लिए भी कोई इस विधेयक मे प्रावधान है ?

MR. SPEAKER: It is against the International Women's Year.

SHRI RAGHUNATHA REDDY: This amendment relates to prescription of a minimum period of punishment. Now, the provision prescribes punishment upto three years. We would rather leave this matter to the discretion of the courts rather than provide a minimum punishment.

MR. SPEAKER: I will now put amendments 37 to 39 of Shri Ramavatar Shastri to vote

Amendments Nos. 37 to 39 were put and negatived.

MR. SPEAKER: Now, the question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

New Clause 9A

SHRI M. KATHAMUTHU: I beg to move:

Page 6,—

after line 13, *insert*—

"CHAPTER IIIA

REHABILITATION OF FREED BONDED LABOUR

9A. (1) Every State Government shall by notification in the Official Gazette constitute a separate Board for the purpose of rehabilitation of freed bonded labourers.

(2) Each such Board shall consist of the following members, namely:—

(a) the Minister of Labour or a person nominated by him who shall be the Chairman;

(b) three persons belonging to Scheduled Castes, Scheduled Tribes and a person working among agricultural labourer to be nominated by the Labour Minister;

(c) two social workers to be nominated by the Labour Minister;

(d) Secretary of the Finance Department of the State who shall be the Secretary of the Board;

(e) one person to represent the financial and credit institutions in the State to be nominated by the State Government;

(3) The State Government shall place at the disposal of the Board adequate funds for the working of the Board.

(4) It shall be the duty of the Board to prepare special schemes for providing alternate jobs for the freed bonded labourers and take any other measures to ensure their economic and social rehabilitation.". (14)

MR. SPEAKER. I shall now put Amendment No 14 seeking to insert a new clause 9A to the vote of the House.

Amendment No 14 was put and negatived.

MR. SPEAKER: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11—(*Duty of District Magistrate and other officers to ensure.. credit*)

श्री रामावतार शास्त्री : एज फार एज प्रेक्टिकेबल का क्या मतलब है ? इसको आप हटा दे। बाकी आपकी ग्याहर क्लाज ठीक है।

I beg to move:

Page 6, line 25,—

omit ", as far as practicable," (40)

SHRI RAGHUNATHA REDDY: I am sorry I am unable to accept this.

MR. SPEAKER: I shall now put Amendment No. 40 moved by Shri Ramavatar Shastri to the vote of the House.

Amendment No. 40 was put and negatived

MR. SPEAKER: The question is:

"That Clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12- (*Duty of District Magistrate and officers authorised by him*)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 6, line 36,—

for "such action as may be necessary" *substitute* "drastic action including arrest" (41)

इस धारा मे अगर कोई बधवा मजदूर रखता हुआ पाया जायगा तो आप कहते है कि शल टेक सच एकशन एज मे बी निसेसरी । इसको मामूली बात समझ कर बार्निग दे कर भी छोडा जा सकेगा । इस कानून के बाद अगर कोई इस गुनाह को करता पाया जाए, गुलाम प्रथा को जारी रखता हुआ पाया जाए और इनक्वायरी के बाद मालूम हो जाएगा कि वह इस प्रथा को चला रहा है फिर भी आप कहते है कि सच एकसन एज मे बी निसेसरी तो यह ठीक नही है। इसके खिलाफ ड्रास्टिक एकशन लिया जाना चाहिये, उसको सख्त से सख्त सजा मिलनी चाहिये इनक्लयूडिंग एरेस्ट उसको जेल होनी चाहिये । हमें आप जेल में डाल दें, कोई बात हो लेकिन बधक मजदूर रखने वाले के प्रति अभी भी लगता है कि आपके दिल के किसी कोने मे ममता है । इसको आप त्यागें । इस कानून के बन जाने के बाद अगर कोई दोषी पाया जाता है तो उसको गिरफ्तार करके आप जेल में डालें । यहीं मेरा संशोधन है ।

SHRI RAGHUNATHA REDDY: With regard to this, clause 12 places a duty on the District Magistrates and officers authorised by them under sec. 10 to perform certain duties with regard to bonded labour. As soon as they identify any bonded system of labour, they will have to take consequential action and if they do not do, so, I am afraid, they can also attract the provisions under Section 20 which would amount to abetment.

MR. SPEAKER: I shall now put Amendment No. 41 to Clause 12 to the vote of the House.

Amendment No. 41 was put and negatived.

MR. SPEAKER: The question is:

"That Clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

New Clause 12-A

MR. SPEAKER: This is for insertion of new clause 12-A. Amendment No. 1, Shri Mohd. Ismail, not here, Amendment No. 15 Shri Kathamuthu.

SHRI M. KATHAMUTHU: I beg to move Amendment No. 15.

I beg to move:

Page 6,—

[Shri M Kathamuthu]

after line 39, *insert*—

"12A. (1) The Central Government shall by notification in the Official Gazette constitute a Central Vigilance Committee

(2) The Central Vigilance Committee shall consist of the following members, namely —

(a) The Central Labour Minister who shall be the Chairman,

(b) four members of Parliament,

(c) three representatives of voluntary organisations working among Scheduled Castes, Scheduled Tribes and backward classes and agricultural workers,

(d) not more than three persons to represent the official and non-official agencies connected with rural development to be nominated by the Central Government,

(e) the Commissioner for Scheduled Castes and Scheduled Tribes,

(f) one officer of the Banking Department connected with rural banks" (15)

My amendment is for the purpose of constituting the Central Vigilance Committee There is need for a Vigilance Committee at the Central level to review the matter periodically because a constant effort is needed to abolish this system. For the implementation of the Act, the recommendation of the Central Committee is needed I request the Minister to accept it

SHRI BIREN DUTTA (Tripura West): I beg to move my amendment No 18 for new Clause 12-A

I beg to move:

Page 6,—

after line 37, *insert* —

"12A Whenever any State Government fails to provide machinery for the implementation of the Act within six months of passing of the Act the Central Government may confer such powers and impose such duties on an officer, as may be necessary, to ensure that the provisions of the Act are properly carried out and such officer shall perform duties, as mentioned in sections 10, 11 and 12, on behalf of the Central Government" (18)

SHRI S M SIDDAYYA I am not moving my amendment

SHRI RAGHUNATHA REDDY: I have already explained our position with regard to these amendments in my reply to the debate I am not in a position to accept them

MR SPEAKER I will now put amendments Nos 15 and 18 together to the vote of the House

Amendments Nos 15 and 18 were put and negatived

Clause 13— *Vigilance Committees)*

MR SPEAKER We go to Clause 13

SHRI M KATHAMUTHU I beg to move

Page 7,—

after line 27, *insert*,—

"(3A) Every State Government shall, by notification in the official Gazette constitute a State Vigilance Committee and each Vigilance Committee constituted for a State shall

consist of the following members, namely:—

(a) the State Labour Minister who shall be the Chairman;

(b) three members of the State Legislature;

(c) two representatives of the voluntary organisations working among the Scheduled Castes, Scheduled Tribes and agricultural workers;

(d) the Director of Social Welfare in the State;

(e) not more than three persons to represent official and non-official agencies connected with rural development to be nominated by Government;

(f) one person to represent the financial and credit institutions in the State." (16)

I beg to move:

Page 7,—

after line 33, *insert*,—

"(4A) the functions of the Central and State Vigilance Committees shall be—

(a) to advise the appropriate Governments as to the action to be taken to ensure that the provisions of the Act or any rule made thereunder are properly implemented;

(b) to assist the economic and social rehabilitation of the freed bonded labourer;" (17)

SHRI BIREN DUTTA: I beg to move.

Page 7, line 4,—

for "social workers" *substitute*

"representatives of agricultural workers' organisations having the largest membership in the district" (19)

Page 7, line 18,—*for* 'social workers' *substitute*

"representatives of agricultural workers' organisations having the largest membership in the Sub-Division." (20)

MR. SPEAKER: Now, Shri Ramavatar Shastri.

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 7,—

for lines 4 and 5 *substitute*—

"(c) two representatives of the organised agricultural workers elected by secret ballot;" (42)

Page 7,—

after line 10, *insert*—

"(f) one member of Parliament and one Member of State Legislature." (43)

Page 7,—

for lines 18 and 19, *substitute*—

"(c) two representatives of the organised agricultural workers elected by secret ballot;" (44)

Page 7,—

after line 37, *insert*—

"(g) one member of State Legislature elected within the Sub-Division and one member of the District Board of the Panchayat Parishad as the case may be." (45)

ये मेरे चार संशोधन निगरानी समिति से ताल्लुक रखने वाले हैं। निगरानी समिति यह देखगी कि बंधुवा मजदूर की प्रथा वास्तव में खत्म हुई है या नहीं।

[Shri Ramavatar Shastri]

क्लाज 13 (सी) मे "टू सोशल वर्कर्स को रखने की बात कही गई है। सोशल वर्कर, सामाजिक कार्यकर्ता से बडा घपला पैदा होता है। जो सरकार का समर्थक होता है या कांग्रेस पार्टी का समर्थक होता है, वह तो रातों-रात सामाजिक कार्यकर्ता बन जाता है लेकिन किसी दूसरे दल के व्यक्तियो को सामाजिक कार्यकर्ता नही माना जाता है। मैं इस झझट को साफ करना चाहता हू। मेरा सशोधन सख्या 42 यह है कि सगठित एग्रीकल्चर वर्कर्स के सीक्रेट बैलट द्वारा दो प्रतिनिधि निगरानी समिति मे रखे जाये। वे लोग इन समस्याओ को ज्यादा अच्छी तरह समझेगे जब कि सामाजिक कार्यकर्ता इन बातो को नही समझते है।

जिला स्तर पर बनाई जाने वाली निगरानी समिति मे सरकार न तो किसी पार्लियामेट के मेम्बर को रखना चाहती है और न विधान मडल के किसी सदस्य को। उनको वहा रखने मे सरकार को फायदा होगा।

मेरे संशोधन सख्या 43 का आशय यह है कि जिला निगरानी समिति मे कम-से कम एक पार्लियामेट का मेम्बर और एक राज्य विधान मडल का सदस्य अवश्य रखा जाये। इससे उस समिति का दबदबा बढ़ेगा और वे लोग इस बिल को कार्यान्वित करने मे सरकार की अधिक सहायता कर सकेंगे।

मेरा सशोधन सख्या 44 भी मेरे पहले सशोधन के समान है जिसमे मैंने सगठित एग्रीकलचर वर्कर्स के दो चुने हुए प्रतिनिधियो को रखने का सुझाव दिया है।

जहा तक सशोधन सख्या 45 का सम्बन्ध है, जो सब-डिवीजन लैवल पर निगरानी समिति बनाई जायेगी, उसमे भी सरकार ने विधान मण्डल के सदस्यो को रखने की कोशिश नही की है। इस सशोधन के द्वारा मैंने यह सुझाव दिया है कि विधान-मण्डल के कम से कम एक सदस्य को उस समिति मे रखा जाये। इसके अतिरिक्त देश के हर राज्य मे डिस्ट्रिक्ट बोर्ड या जिला परिषदे काम कर रही है। निगरानी समिति का मकसद यह है कि गोलमाल करने वालो को पकडे और उनको सख्त से सख्त सजा दे। सरकार ससद, विधान मण्डल और डिस्ट्रिक्ट बोर्ड या जिला परिषद् के सदस्यो को उसमे क्यो नही रखती है? सरकार उन लोगो के प्रति इतनी उदासीनता क्यो बरत रही है? मेरे सशोधन का आशय यही है कि इन लोगो को इन समितियो मे रखने की व्यवस्था की जाये।

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): Sir, I would like to state very respectfully that I have got very high respect for the Members of Legislature and Parliament Want of respect for them is not the reason That is not at all the case The Vigilance Committee consists of three persons belonging to the scheduled castes and scheduled tribes residing in the district to be nominated by the District Magistrate

What is necessary is that persons who are residing in that area who are members of the scheduled castes and scheduled tribes can safely be presumed to be persons belonging to the agricultural labourers They can not, by any stretch of imagination cannot be considered to be the land lords Therefore the representatives of the agricultural labour are there So, to introduce an element of secret ballot to me sounds to be a little bit of romanticism in this case and it is not a practicable proposition

With regard to the social worker, naturally, the District Magistrate is expected to exercise this mind in nominating the social workers—not the socialites—who have a deep heart and understanding the problems with them—not more than three persons who represent the official or non-official agency in the rural development to be nominated by the State Government. The hon Member referred to the zila parishad. Certainly, the zila parishad is connected with the rural development and the developmental agency. Therefore, the zila parishad representative is not precluded from being nominated. Naturally, the District Magistrate will have to consider associating zila parishad representatives in this case If necessary, we will also advise the District Magistrate to follow this methodology in nominating one or two persons representing the financial and credit institutions in the district to be nominated by the district magistrate.

But, what is contemplated here is not merely abolition of bonded labour but also rehabilitation of the bonded labour Therefore, developmental agencies and also financial institutions which provide the credit facilities must be associated Therefore an effective type of agency is contemplated here With regard to the associating of Members of legislature and Parliament, we can consider the question of having a review committee at every State level. That can be done at the administrative level instead of providing it in the statute.

MR SPEAKER I shall now put amendment numbers 16, 17, 19, 20 and 42 to 45 to the vote of the House

Amendments Nos 16, 17, 19, 20 *and* 42 *to* 45 *were put and negatived.*

MR. SPEAKER. The question is

"That Clause 13 stand part of the Bill".

The motion was adopted.

Clause 13 *was added to the Bill.*

Clause 14—*(Functions of Vigilance Committee)*

MR SPEAKER We now take up clause 14 There are amendments. Shri Anadi Charan Das He is not here

SHRI S. M SIDDAYYA I beg to move.

Page 7, lines 38 and 39,—

for "the District Magistrate or any officer authorised by him".

substitute,

'the District Magistrate or any officer specified by him under section 10 and the Sub-Divisional Magistrate". (60)

Page 7, lines 38 and 39,—

for (a) to advise the District Magistrate or any officer authorised by him as to the efforts made, and action taken, to ensure"

substitute "(a) to take such steps as to ensure" (94)

SHRI RAMAVATAR SHASTRI I beg to move

Page 8, line 3,—

add at the end—

"at the lowest rate of interest" (46)

MR SPEAKER I shall now put amendement Nos 46, 60 and 94 to the vote of the House

Amendments Nos. 60, 94 *and* 46 *were put and negatived*

MR SPEAKER The question is:

"That clause 14 stand part of the Bill".

The motion was adopted

Clause 14 *was added to the Bill.*

MR. SPEAKER: Shri Anadi Charan Das. He is not here.

The question is:

"That clause 15 stand part of the Bill".

The motion was adopted.

Clause 15 was added to the Bill.

Clause 16— (*Punishment for enforcement of bonded labour*)

MR. SPEAKER: We shall now take up clause 16. There are amendments

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 8, line 22,—

after "with" *insert* "rigorous" (47)

Page 8, line 23,—

for "extend to" *substitute* "not be less than" (48)

MR. SPEAKER: I shall now put amendment Nos 47 and 48 to the vote of the House

Amendments Nos 47 and 48 were put and negatived

MR SPEAKER: The question is

"That clause 16 stand part of the Bill".

The motion was adopted

Clause 16 was added to the Bill.

Clause 17—(Punishment for advancement of bonded debt)

SHRI RAMAVATAR SHASTRI: Sir, I beg to move:

Page 8, line 26,—

after "with" *insert* "rigorous" (49)

Page 8, line 27,—

for "extend to" *substitute* "not be less than" (50)

MR. SPEAKER: I will now put amendments Nos. 49 and 50 to the vote of the House.

Amendments Nos. 49 and 50 were put and negatived.

MR. SPEAKER: The question is:

"That Clause 17 stand part of the Bill."

The motion was adopted.

Clause 17 was added to the Bill.

Clause 18—(Punishment for extracting bonded labour under the bonded labour system)

SHRI BIREN DUTTA: Sir, I beg to move:

Page 8, line 33,—

after "with" *insert* "rigorous" (21)

Page 8, line 34,—

for "three" *substitute* "five" (22)

Page 8, line 35,—

for "two" *substitute* "five" (23)

Page 8, line 36,—

for "five" *substitute* "eight" (24)

SHRI RAMAVATAR SHASTRI: Sir, I beg to move

Page 8, line 34,—

for "extend to" *substitute* "not be less than" (52)

Page 8, line 36,—

for "five" *substitute* "seven" (53)

MR. SPEAKEHR: As amendment No. 51 is the same as amendment No. 21, therefore, it will not be moved. Now, I will put amendment Nos. 21, 22, 23, 24, 52 and 53 to the vote of the House.

Amendments Nos 21 to 24 and 52 and 53 were put and negatived.

MR. SPEAKER: The question is:

"That Clause 18 stand part of the Bill."

The motion was adopted

Clause 18 was added to the Bill.

Clause 19— (*Punishment for omission or failure to restore possession of property to bonded labourers*)

SHRI BIREN DUTTA: Sir, I beg to move:

Page 8, line 41,—

after "with" *insert* "rigorous" (25)

Page 8, line 42,—

for "one year" *substitute* "two years" (26)

Page 8, line 42,—

for "one thousand" *substitute* "two thousand" (27)

Page 8, line 44,—

for "five" *substitute* "eight" (28)

SHRI RAMAVATAR SHASTRI: Sir, I beg to move:

Page 8, line 42,—

for "or with fine" *substitute* "and with fine" (54)

Page 8, lines 42 and 43,—

omit ",or with both" (55)

Page 8, line 44,—

for "five" *substitute* "seven" (56)

MR. SPEAKER: I will now put amendment Nos. 25, 26, 27, 28, 54, 55 and 56 to the vote of the House.

Amendments Nos. 25 to 28 and 54 to 56 were put and negatived.

MR. SPEAKER: The question is:

"That Clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Clause 20— (*Abetment to be an offence*)

SHRI RAMAVATAR SHASTRI: Sir, I beg to move:

Page 9,—

"*after* line 3, *insert*—

"(2) If any officer of the State Government or any member of the Vigilance Committee abets or helps the commission of any offence under this Act, whether or not the offence abetted is committed, shall be punishable with twice the rate of punishment as is provided for the offence which has been abetted" (57)

मेरे संशोधन का मंशा यह है कि जो सजा बधुंआ मजदूर रखने वाले को दी जाएगी, उस से दुगनी सजा उस अफसर या विजिलेंस कमेटी के उस सदस्य को दी जाये, जो बधुंआ मजदूर रखने वाले की मदद करे या बंधुआगीरी मे सहायक हो। बहुत दफा यह देखा गया है कि अफसर लोग, या वे गलत तत्व जो कमेटियो मे घुस जाते है या जिन को सरकार कमेटियों में रख देती है, गुनाह या गोल-माल करने वालों की मदद करते है। ऐसे लोगों को दडित करने की कोई व्यवस्था इस विधेयक में नही रखी गई है। उन लोगों को केवल क्रिटिसाइज कर के, या उन की एक्सप्लेनेशन मांग कर, ही न छोड देना चाहिए, हालांकि इस विधेयक में उस की व्यवस्था भी नही की गई है। उन को इतनी सख्त सजा देनी चाहिए कि किसी अफसर या विजिलेंस कमेटी के किसी मेम्बर को बंधुओं

(Shri Ramavatar Shastri.)

मजदूर रखने वाले समाज-विरोधी तत्वों, जनता-विरोधी या मजदूर-विरोधी लोगों को दोबारा मदद करने की हिम्मत न हो ।

SHRI RAGHUNATHA REDDY: This clause deals with the applicability of the doctrine of abetment; it has nothing to do with punishment. Even otherwise, the maximum punishment is provided for any offence. If it is abetment, it would be treated as a substantive offence committed by the person himself. In such cases, it would be three years. I have no doubt that the courts would take a serious view of the matter if persons like members of the Vigilance Committee themselves commit this offence. There need not be any separate provision for it.

MR. SPEAKER: I shall now put amendment No. 57 to vote.

Amendment No. 57 was put and negatived.

MR. SPEAKER: The question is:

"That clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

Clause 21 was added to the Bill.

Clause 22— (*Congnizance of offences*)

SHRI RAMAVATAR SHASTRI: I move:

Page 9, line 15,—

omit "and bailable" (58)

SHRI S. M. SIDDAYYA: I move:

Page 9, line 15,—

for "bailable" *substitute* "non-bailable" (95)

MR. SPEAKER: I shall now put both these amendments to vote.

Amendments Nos. 58 and 95 were put and negatived.

MR. SPEAKER: The question is:

"That clause 22 stand part of the Bill".

The motion was adopted

Clause 22 was added to the Bill.

Clause 23 was added to the Bill.

Clause [illegible] (*Protection of action taken in good faith*)

SHRI BIREN DUTTA: I beg to move:

Page 9,—

after line 39, *insert*—

"(2) If any officer of the State Government or any member of the Vigilance Committee abets the commission of any offence under this Act, whether or not the offence abetted is committed, shall be punishable with twice the rate of punishment as is provided for for the offence which has been abetted." (29).

MR. SPEAKER: I shall now put this amendment to vote.

Amendment No. 29 was put and negatived.

MR. SPEAKER: The question is:

"That clause 24 stand part of the Bill".

The motion was adopted

Clause 24 was added to the Bill.

Clauses 25 and 26 were added to the Bill.

New Clause 26A

SHRI S. M SIDDAYYA: I beg to move:

Page 10,—

after line 27 *insert*,—

"26A(1) Subject to such rules as the Central Government may make in this behalf under section 26, the State Government shall take such measures as may be necessary for the economic and social rehabilitation of the freed bonded labourers.

(2) In particular and without prejudice to the generality of the provisions of sub-section (1), such measures may include—

(i) the provision of adequate facilities including legal aid to the bonded labourers; and

(ii) the setting up of a Committee at the State level, to review periodically the working of the provisions of the Act with a view to suggesting measures for better implementation of the provisions of this Act.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Government under sub-section (1).

(4) The Central Government shall, every year, place on the Table of each House of Parliament a Report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section." (96)

This amendment seeks to have a Committee set up at the State level. The Minister has agreed to suggest to State Governments to set up such a Committee. Instead of making it a matter of suggestion to them, we should have such a provision in the Bill itself so that it becomes binding on State Governments. The suggestion made by the Minister may or may not be accepted. Secondly, the Central Government will have to be involved in this to co-ordinate the actions taken by State Governments. Thirdly, a report of the action taken by the State Governments and the Central Government should be laid on the Table so that Parliament can discuss it. All these things are incorporated in my amendment and I request the Minister to accept it.

SHRI RAGHUNATHA REDDY: As I have already submitted, the Central Labour Ministry is the nodal Ministry to co-ordinate all activities. With regard to the formation of a Committee by statute I gave the explanation about it. The immediate problem would be at the district and sub-divisional level. If necessary, we can consider the question of having a Review Committee at the administrative level. About the progress made, from time to time it will be relayed to the House and certainly I shall come to the House to make a statement with regard to the progress made about the implementation of this law.

MR. SPEAKER: Is Mr. Siddayya pressing his amendment?

SHRI S. M. SIDDAYYA: I do not press my amendment. I withdraw the same.

MR. SPEAKER: Has the hon. Member leave of the House to withdraw the amendment?

Amendment No. 96 was by leave withdrawn.

MR. SPEAKER: The question is:

"That clauses 27 and 1 stand part of the Bill."

The motion was adopted.

Clauses 27 and 1 were added to the Bill.

Enacting Formula

(*Amendment made*)

Page 1, line 1,—

for "Twenty-sixth" *substitute* "twenty-seventh" (92).

(Shri Raghunatha Reddy)

MR. SPEAKER: The question is:

"That the Enacting Formula, as amended, stand part of the Bill '

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill

SHRI RAGHUNATHA REDDY. I beg to move:

"That the Bill, as amended, be passed."

MR. SPEAKER: Motion moved:

"That the Bill, as amended, be passed."

श्री रामावतार शास्त्री (पटना) अध्यक्ष महोदय, जो छोटी-मोटी कमिया हम लोगो ने इस विधेयक में पाई उन का उल्लेख हम लोगो ने यहा किया। उन कमियो के बावजूद यह विधेयक स्वागत योग्य है

13 33 hrs.

[MR. DEPUTY-SPEAKER *in the Chair.*]

देर से ही सही सरकार ने इस तरह का कानून बना कर बन्धक या बधुवा मजदूर रखने वालो के खिलाफ जबर्दस्त चोट की है। इसलिए इस विधेयक का समर्थन केवल वही लोग नही करेंगे जो समाज को यथास्थिति मे रखना चाहते है, इस मे परिवर्तन करना नही चाहते, जो यह नही चाहते कि हिन्दुस्तान मे सामन्ती प्रथा को समाप्त किया जाय और हिन्दुस्तान को सही माने मे समाजवाद के रास्ते पर ले जाया जाय। जो लोग इस तरह के होंगे वही इस तरह के विधेयक का विरोध करेंगे। बाकी तमाम लोग जो जनतत्र मे, स्वतन्त्रता मे, समाजवाद में और गरीबी मिटाने मे विश्वास रखते है वे सभी के सभी इस विधेयक का समर्थन करेंगे। इसी दृष्टिकोण से मैं भी इस विधेयक का जोरदार समर्थन करता हू।

दूसरी बात कई राज्यो के अन्दर कही तो मुख्य मत्री ने जैसे कि तामिलनाडु के मुख्य मत्री ने कह दिया रौब में आकर बिना पता लगाए हुए कि हमारे यहा बधक मजदूर प्रथा नही है और उसी तरह बिहार सरकार के लेबर मिनिस्टर ने भी कह दिया कि वहा भी बधक मजदूर की प्रथा नही है जिस का विरोध वहा की कम्यूनिस्ट पार्टी, बिहार राज्य कम्यूनिस्ट पार्टी के मत्री को करना पडा कि यह गलत बात है। तो किसी न किसी रूप मे हिन्दुस्तान के प्राय. सभी राज्यो मे इस तरह की प्रथा है जिसे मिटाने के लिए हम को और आप को पूरा-पूरा प्रयास करना है।

तीसरी बात—सजा का जो आप ने प्रावधान रखा है वह ठीक है, उस का पालन हो, वह कार्यान्वित हो, सजा उन्हे मिले। पैरवी से बधक मजदूर रखने वाले छोडे नही जाये। उन को आप पकडिए।

अन्तिम बात जो सब से बडी बात है पुनर्वास की उस के संबध मे मै निवेदन करना चाहता हू कि जो बधक मजदूर आजाद होंगे जिन की आखो कल गणतत्र दिवस के अवसर पर हमे देखने को मिली कि वे लोग नाच रहे है, गा रहे है कि हम ने गुलामी से छुटकारा पाया, उन के पुनर्वास की जरूरत है, उन्हे हर तरह की सहायता देने की जरूरत है। अगर उन के लिए पुनर्वास की व्यवस्था आप नही

करेंगे और उन की सहायता नहीं करेंगे इस काम में तो केवल इसी कानून से काम नहीं चलेगा। इन शब्दों के साथ मैं आशा करता हूं कि आप का ध्यान इस ओर जायगा।

श्री परिपूर्णानंद पैन्यूली (टिहरी-गढ़वाल) उपाध्यक्ष महोदय, यह बिल स्वागत योग्य है। मैं एक दो बातों की ओर माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूं। पहली बात तो यह कि इस बिल के पास हो जाने के बाद जिन सभी सदस्यों ने इस के ऊपर चर्चा में हिस्सा लिया है उन को बुला कर उन के सुझावों को किस तरह से कार्य रूप में परिणित किया जाय इस के बारे में उन के सुझावों को आप ले ताकि सदन में जिन बातों पर चर्चा नहीं हो सकी है तथा इस के कार्यान्वयन में जो अनेक दिक्कतें हैं उन के बारे में आप उन से चर्चा कर सकें। मैं यह बात इसलिए भी कह रहा हूं क्योंकि यह सोशियोलाजिकल ऐस्पेक्ट है। कानून से भी उन को राहत मिलेगी लेकिन वही एकमात्र चीज नहीं है। जब तक कि आप उस के कार्यान्वयन के मामले में पब्लिक रेप्रेजेन्टेटिव्ज का इन्वाल्वमेंट नहीं करेंगे, केवल ब्यूरोक्रेट्स के ऊपर सौंपने से इस में सफलता नहीं मिलेगी। हरिजन कल्याण समितियां भी हम ने देखी हैं। डिस्ट्रिक्ट मैजिस्ट्रेट के द्वारा जो नामजद होते हैं वे भी कई बार स्थानीय वेस्टेड इन्टरेस्ट के साथ मिल जाते हैं। इसलिए जिनके साथ न्याय होना चाहिए उन के साथ न्याय नहीं हो पाता है।

एक बात और मैं निवेदन करना चाहता हूं और वह यह है कि उन को ऋण मुक्त करने का प्रावधान आपने किया है। लेकिन अभी तक हम ने यह नहीं देखा है कि बैंकों में जो कर्जा लेने के उस के विकल्प में जो आप उन्हें कर्जे की फैसिलिटीज देना चाहते हैं उस के लिए कौन सी एजेंसी होगी? इस बैंक की जो व्यवस्था आप ने की है वह केवल गांवों के जो सम्पन्न किसान हैं उन्हीं को उस से फायदा मिलेगा। वास्तव मजदूरों को उन से क्या फायदा पहुंच सकेगा? विजिलेंस कमेटियों के बारे में भी मैं निवेदन करूंगा कि सामान्य तौर पर उस में ऐसे होने चाहिए जो कि सचमुच में ऐसे लोगों का प्रतिनिधित्व करते हों। इन्हीं शब्दों के साथ मैं इसका समर्थन करता हूं।

SHRI ERASMO de SEQUEIRA. (Marmagoa) Mr Deputy Speaker, Sir, it is a very good thing that we are passing today a bill for the abolition of bonded labour and we all welcome it But, Sir, is it not an indictment of the Government that this bill is being passed in the 26th year of this Republic? What was Congress Government after Congress Government doing all these twenty-five years?

MR DEPUTY-SPEAKER This you should have said at the beginning, not at the end

(Interruptions)

SHRI ERASMO de SEQUEIRA: Sir, the hon Minister himself has said that even today we do not have a survey of the extent of bonded-labour in this country, and my fear is that just like many laws that we have enacted in this House, this one also will go on the Statute Book but will remain mostly unimplemented The Minister was speaking about Vigilance Committees We would all welcome that Vigilance Committees would be formed, so that the Act that we are passing is really of some benefit to the common people of this country.

[Shri Erasmo De Sequeira]

But, Sir, let me also request the hon. Minister to see that these Vigilance Committees should not be turned into some kind of Congress Committees at the constituency level. This Government may try in this manner, and get out of the direstraits in which it finds itself before the people of this country because of its total inability to function. I agree that the hon Minister should come forward before this House from time to time, and tell us exactly what is the extent of implementation of this Bill But, in any view, he can only do this until the 18th March, because on that day he must unbond himself from the chair, and go to the people.

THE MINISTER OF LABOUR (Shri RAGHUNATHA REDDY): Sir, I had already explained the legal position with regard to the points made by Shri Ramavatar Shastri. The law passed by the Parliament is the law that is applicable to all parts of the country and no State can escape the provisions of the law. He need not have any apprehension whether a particular State would implement it or not because the law is applicable to each State and every officer who is mentioned in this enactment is bound to implement the law. He need not have any apprehension about it. With regard to what my friend Mr. Erasmo de Sequeira has mentioned, this is part of our social system, this cannot be there merely by law and every Member of this House must exercise his influence and rouse the social conscience of the people. For instance, Shri Shrikishna Mody brought to my notice that about 50 workers were working here as bonded labour for the last five years as part of the contract labour system. We took immediate action and within 24 hours, they were freed and sent back to their homes with necessary help.

With regard to the suggestion made by friend, I will try my best to convene a meeting of the members who have participated in the debate, as soon as the House adjourns.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

13.42 hrs.

STATUTORY RESOLUTION RE DISAPPROVAL OF CONSERVATION OF FOREIGN EXCHANGE AND PRESENTATION OF SMUGGLING ACTIVITIES (SECOND AMENDMENT) ORDINANCE AND CONSERVATION OF FOREIGN EXCHANGE AND PREVENTION OF SMUGGLING ACTIVITIES (AMENDMENT) BILL.

SHRI ERASMO de SEQUEIRA (Marmagoa): Sir, I beg to move:

"This House disapproves of the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance, 1975 (Ordinance No. 29 of 1975) promulgated by the President on the 12th December, 1975"

Sir, it is again my duty to stand in this House and protest against the manner in which this government is ruling by ordinance and by edict, instead of by law. This is the Fascist method, not the democratic one.

Under the orginal enactment, Government already had power to extend, in the case of a person who has been detained before 31st December, 1975, the period of detention by one year, or two years as the case may be, under section 9 or 10. I would like to ask the minister, what was the justification for this ordinance? How many people has the government detained between 31st December 75 and today, under the ordinance?

Under this ordinance, the government has made the detention valid not only for one or two years, but as long as the emergency is in force Look at the ordinance and look at the Bill As I said, Government already had power to detain anybody upto 1977 for one or two years That means, the detentions are upto 1978 or 1979 In addition Government comes forward and says, "Not only do we want power to detain them till 1978 or 1979, but we want the power to detain them as long as the emergency is in force if that is longer than 1979 On the one hand they say that the emergency is a purely temporary measure On the other side, they clothe themselves with powers which clearly indicate that this government seems to have no intention whatsoever of lifting the emergency until there is not only limited dictatorship that Mr Shashi Bhusan asks for but complete and total dictatorship In fact, Mr Bhushan himself complains that he had asked for a public limited dictatorship but he was getting a private limited one The detention that this House sanctioned was extra-ordinary detention They were to detain persons in order to prevent them from indulging in smuggling This is an extra-ordinary measure and it was authorised in view of the great menace of smuggling But it cannot be an authorisation that can be carried on infinitely because with the knowledge that this Government has of the smuggling operations that are going on in this country, and from the arrests that have been made, Government is well aware of who is indulging in smuggling and foreign exchange manipulation and in spite of this knowledge, this Government does not have the courage to put these detenus before the court under FERA, under the violation of exchange law and customs act and to prosecute these detenus Government is also aware that these smugglers have got connections in officialdom, and in political circles of the Government If Government institutes an inquiry under this law, these things will come to light This is the only reason, why they are not being put on trial That is why I object to this and I oppose this Bill also I say that you know all the people who indulge in smuggling and foreign exchange manipulations If you are sincere you clear out those who do it and who support them at the official and political levels, take them to court and charge them Let the courts convict them

MR DEPUTY-SPEAKER Resolution moved

'This House disapproves of the conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance 1975 (Ordinance No 29 of 1975) promulgated by the President on the 12th December, 1975"

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE). I beg to move

"That the Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, be taken into consideration"

Sir as hon Members are aware, in December, 1974, Parliament enacted the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 to detain persons connected with smuggling foreign exchange racketeering and related activi

[Shri Pranab Kumar Mukherjee]

ties. It was correctly anticipated that the immobilisation of the notorious smugglers would disrupt the organisation established for furthering these reprehensible activities. Resort to preventive detention has had a salutary effect and has resulted in reducing the extent of smuggling considerably. It has also resulted in an appreciable increase in the remittance of foreign exchange into the country through legal channels. To maintain the general climate built up over the last 15 months and to more effectively deal with smugglers and foreign exchange racketeers in the context of the present Emergency, it is necessary to modify the maximum period for which a person can be detained under the Act. In the Act the maximum period of detention provided is one year ordinarily, and two years in the case of persons who are declared to be operating in areas highly vulnerable to smuggling It has, therefore, been found necessary to amend the provisions of section 10 of the Act to provide that the maximum period of detention should be one or two years as the case may be, or the period during which the Proclamations of Emergency issued on 3rd December, 1971 and 25th June, 1975 are both in operation, whichever period expires later The amended period has also to be made applicable to persons who are already in detention and who would otherwise have become due for release from the 18th December, 1975 onwards. This step was necessary to obviate the release en masse of these detenus, whose renewed activities might have led to a recrudescence of smuggling, foreign exchange racketeering etc., and thereby undermined Government's efforts to a significant extent.

The provisions of section 9 by which the Central Government can issue a declaration in cases of persons who are operating or through areas highly vulnerable to smuggling were available only in respect of detention orders issued up to 31st December, 1975. In the light of experience gained it is found that the vulnerable areas continue to remain so, even in the context of reduced volume of smuggling. It is, therefore, desirable to continue to have these powers for a further period. It is, therefore, proposed to extend the period of availability by another two years for the present.

In view of the urgency of the matter, the President promulgated the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance, 1975, on 12th December, 1975. The Bill seeks to replace the provisions of the Ordinance.

Under the Act, the power to order the temporary release of a detenu vests in the Government by whom or by whose officers a person has been ordered to be detained. Considering the general objectives of the Act and the class of persons involved, it is desirable that the Central Government also has the power to order the temporary release of State detenus. The present opportunity has been taken advantage of, to make the necessary provisions in the Bill

Sir, I move that the Bill be taken up for consideration.

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, be taken into consideration.".

MR. HALDER.

*SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Deputy Speaker, Sir, the hon. Minister has introduced the Conservation of Foreign Exchange

*The original speech was delivered in Bengali.

and Prevention of Smuggling Activities (Amendment) Bill, 1976 which seeks to replace the ordinance promulgated by the President in December 1975 The present Bill seeks to amend Sections 9, 10 and 12 of the parent Act I would like to make it very clear, Sir, that our party will support all measures of the Government which will eradicate the menace of smuggling racketeering in foreign exchange and such like offences and as such I extend my support and the support of my party to the provisions of the Bill

Mr Deputy Speaker Sir you are aware of the fact that the big monopoly houses of our country like the Birlas, Singhanias, Thappers etc, are indulging in under invoicing and over invoicing of goods on a large scale and thus they are defrauding the Government of huge sums of foreign exchange which would have otherwise gone to Government's coffer I would therefore like to know what precise steps have been taken by the Government since the promulgation of emergency to deal with these big business houses who have been cheating the nation on a big scale I would also like to know the number of persons who have been prosecuted for indulging in such practices and what has been the total gain to the Government treasury as a result the steps taken by the Government I would also like to know Sir after the Ordinance was promulgated in December 1975, the number of smugglers and foreign exchange racketeers that were arrested the value of the property attached and the number of cases which have been instituted in the courts of law and the outcome thereof I would take this opportunity to remind this House Sir that a notorious smuggler Haji Mastan Mirza in an interview to Blitz had stated that during the time of elections ministers political workers and leaders approached them for funds He had also said that without the support of the big officials of the Government and the Ministers smuggling and racketting in foreign exchange could not be carried out even for a day I would therefore like to know what steps the Government have taken to locate these political workers, leaders or ministers and the senio officers of the Government who actively supported the smugglers and what punishments have been given to them? It is a common knowledge that a great part of the money of the smugglers and the foreign exchange racketeers are at present lying stored in foreign banks It is an imperative duty of the Government not only to fish out the black money generated as a result of such anti social activities within the country but it is equally important and necessary to ensure that the huge sums of these smugglers stored in foreign banks are also repatriated from foreign banks into our country and utilised for the purpose of social upliftment works I would therefore like to know from the hon Minister whether they have considered this aspect of the matter and if so, what steps have been taken or proposed to be taken by the Government in this regard?

Before concluding I would like to draw the attention of the House to Section 4 of the present amending Bill In addition to replacing the Ordinance the Bill seeks to amend Section 12 of the principal Act so that the Central Government can also have power to order the temporary release of persons detained under orders of State Government or State Government Officer I am afraid Sir that this provision not only creates duplication in matters of releasing smugglers but it is also likely to be misused We cannot rule out the possibility of a situation where a smuggler through his money power can reach some understanding or carry out a bargain for some consideration with the ruling party and with some senior Government officer in the Centre and secure a temporary to begin with

[Shri Krishna Chandra Halder]

and to remain free permanently. I feel through this provision the Government is trying to create a political pressure on the smugglers. Immediately after the imposition of emergency in the country it was heard that Government had initiated searches of lockers and started seizing papers of foreign exchange racketeers and two years back some steps were also initiated against the Birlas. I would like to know how many of Birlas have been prosecuted or whether the steps have since been withdrawn. In the end I would request the Minister to give the details of the cases of apprehension of smugglers and other details as I have sought during the course of my speech earlier in his reply to the debate.

14 hrs.

SHRI B. R. SHUKLA (Bahraich): The provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act are already showing good results. Smugglers and foreign exchange racketeers have been detained under th provisions of this Act, but the situation is not fully under control. If these big economic sharks are allowed to be at large and come out of jail, they will again engage themselves in nefarious activities. Therefore, Government has rightly come forward with this amending Bill for further detention of these economic offenders.

On this occasion I would like to draw the attention of the hon. Minister to the fact that large scale smuggling is going on on the Indo-Nepal border. Bahraich, Gonda, Basti and Gorakhpur are the districts where people have grown fabulously wealthy overnight. The raids by the income-tax and customs departments are mostly confined to metropolitan cities, but so far as these districts are concerned hardly any effective action has been taken. Therefore, Government should take effective steps. There are many persons indulging in these activities. Those who were pennyless, who had no property, have accumulated crores, erected palatial buildings. Therefore, my submission is that Government should immediately take action against these persons.

MISA and the present Bill under discussion have come in for criticism from many quarters but so far as the economic offenders are concerned, the House, irrespective of party labels, is unanimous in extending its supoprt to Government. Therefore, the scope of the Bill is very limited, and it is a most non-controversial measure. So, I fail to understand why Mr. Sequeira is always coming with a resolution of disapproval even regarding these innocent measures with which he should have no difference opinion. Of course, he has got a good opportunity, in the absence of other Members of the opposition, to move resolutions disapproving of every thing which the Government does, that is, opposition for the sake of opposition, or for drawing the attention of the Government to certain aspects. With these words, I extend my full support to the provisions of this Bill which are very necessary and essential for the time being.

SHRI C. K. CHANDRAPPAN (Tellicherry): These amendments are sought for 50 smugglers who are in custody for one year or so or until the emergency is over, whichever is later. It has been made very clear that we are fully in support of all the actions that the Government will take against the sumgglers. In that context, we are happy that the Government is amending this Bill and trying to take stringent action against the smugglers. In this context, I would like to draw the attention of the Government to some of the problems

relating to smuggling, after so many measures had been taken by the Government Now smuggling in this country is assuming new proportions by taking new steps The smugglers are devising new methods for smuggling purposes Recently, some alarming reports have appeared in the Press In this connection, Kindly see "Blitz" dated December 6 The heading is "High Priest of Smuggling" The Chief of the Bohra Community indulging in smuggling on a large scale has been arrested in Colombo and fined His followers have been denied visa This gentleman has been moving in this country without fear Some instances of his involvement in cases in Tanzania Iraq and several other countries in the past have been cited in this report I would like to know whether the Government has taken any steps about this gentleman who has been alleged to have been indulging in smuggling

As far as smuggling in Bombay is concerned, after the smugglers had been arrested, now new areas have been found by the smugglers to land their goods According to "The Economic Times" they have found out a place in Goa, Daman and Diu Instead of gold they bring more textile and other non perishable goods by which they can do smuggling on a large scale They involve children as carriers and use them to take goods from one place to another These are the things which are going on even today Recently, I had the opportunity to go to Manipur and Imphal, a place which is very near to your place

MR DEPUTY-SPEAKER Far away

SHRI C K CHANDRAPPAN Compared to my place, it is nearer In Imphal, I saw a strange spectacle Most of them—there may be some exceptions—smuggled textile goods There are some hotels The people say that these are dens of smuggling They are doing it openly I do not know whether the Government has looked into these things These are some of the things to which the Government should pay its attention

Now, when we speak of these people who are in jail, we support that the Government is going to keep them for a longer period under detention What about those people who are absconding? Till today, according to the press report the Minister may correct me if I am wrong—more than 250 persons are still at large I want to know in how many cases the Government has confiscated their property If they have not confiscated the property of these people, I want to know what prevented them after the promulgation of the Ordinance to take action against them These are some of the questions which the Minister has to reply

Then there is another case which I would like the Minister to clarify It is not a new one but an old case The United Commercial Bank which was owned by Birlas before nationalisation had indulged in a big foreign exchange racketeering just a few weeks before the devaluation was announced by the Government It was admitted by the Government also that the Bank had purchased with the permission of the Reserve Bank—I do know whether the Reserve Bank told them that devaluation was coming and that that was the time to purchase it—a huge amount of foreign exchange mainly dollars There was a case pending against the then management of the Bank, owned by Birlas I want to, when the Government is tightening up a measures, what happened to that case

Lastly, I am very much alarmed and I think all patriotic people will be

[Shri C. K. Chandrappan]

alarmed, when the news came that the CIA is now financing the heads of religion and priests through various channels. The Minister might say that this is not something connected with foreign exchange racketeering. But this is happening. I have the experience how it has come to Kerala. It comes always in the form of foreign money. I want to know whether the Government is keeping a watch on all these things.

These are some of the things that I would like the Minister to answer when he replies to the debate. I share the apprehension of Comrade Halder about over-invoicing and under-invoicing which is still going on without any check. The Minister will say that some check is there. I think, that is just nothing. Will he be able to take some bold action against the big monopolies who are indulging in this kind of activities? I want an answer from the Minister to that.

श्री मूलचन्द डागा (पाली) उपाध्यक्ष महोदय, श्री सेकैरा ने जो प्रश्न उठाया है, उसके बारे में मैं यह कहना चाहता हूं कि हिन्दुस्तान में एक बहुत बडी समस्या यह है कि बहुत से लोग मकदमों में गवाही देने नहीं आते हैं। एविडेंस एक्ट के अन्तर्गत एविडेंस को कलक्ट करना और अदालतों में पेश करना बहुत मुश्किल है। तस्करों के विरूद्ध चलाये गये मकदमों में यह कठिनाई विशेष रूप से महसूस की जाती है। सरकारी अधिकारी भी उन के प्रभाव में आ जाते हैं और गवाही नहीं देते है। इस बारे में कोई प्रोविजन बनाया जाना चाहिए, जिस से ऐसे मामलों में एविडेंस को प्राप्त किया जा सके।

मैं फिनांस मिनिस्टर साहब से यह पूछना चाहता हु कि क्या उन्होंने ऐसी कोई मशीनरी बनाई है जो उन तस्करो से इंडेस्टीगेशन करे, जिन को दो तीन साल से जेल मे रखा गया है। क्या सरकार को यह मालूम हो सका है कि उन लोगो का कितना रुपया विदेशो मे है। ऐसा मालूम होता है कि उन लोगों को इतने साल तक जेल मे रखने के बाद भी उन से इंडेस्टीगेशन नही किया जाता है और कोई नई बाते प्रकाश मे नही आती है।

बहुत से तस्कर हिन्दुस्तान से बाहर दुबई आदि देशो मे रहते है। मैं जानना चाहता हु कि क्या उन देशो की सरकारें उन तस्करों को पकडने में भारत सरकार से सहयोग करती है या नही। इस संबंध में एक्सटर्नल एफेयर्ज मिनिस्ट्री की भूमिका क्या है? यह तो बहुत अच्छी बात है कि सरकार ने बहुत हिम्मत के साथ तस्करो के विरूद्ध कदम उठाया है, लेकिन सरकार को यह भी बताना चाहिए कि कितने तस्करों को विदेशो से पकड कर यहां लाया गया है और कितनी अधिक पूंजी का उस को पता लगा है।

जिन लोगो को तस्करी के आरोप मे पकडा गया है, उन के सम्बन्ध मे मैं यह जानना चाहता हूं कि क्या इस बात की कोई एनक्वायरी की गई है कि जो लोग पकडे गये है, वे वास्तव मे स्मगलर है या उनके बदले मे कोई साधारण लोग पकड लिये गये है।

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I am grateful to the Hon. Members for making their observations.

The Hon Member, while moving his motion for disapproval, raised the question as to what was the urgency for bringing forward the Ordinance and what steps we have taken after the Ordinance was promulgated by the President The reason is very simple Quite a large number of detenus say 300 were to be released by 31st December 1975 had this Ordinance not been there and we found that if most of these detenus were released just at the stroke of the midnight hour on 18th December, it would have adverse effects on anti-smuggling operations which were continuing for quite some time As I had indicated in my introductory remarks, this had some salutary effect on our economy as well as on the remittances from abroad through legal channels

Secondly, he has raised the question as to why we are extending the provisions of Section 9 against those persons who had been arrested after 31st December 1975 It is because of the very obvious reason that for the vulnerable areas which have been indicated and detenus from those areas who are operators therein, against whom we had taken deterrent measures, we are to continue those stringent measures for some time more As, on an earlier occasion, while replying to a question in the other House I had indicated in some of those areas renewed activities in smuggling have started and we have drawn the attention particularly of the Gujarat State Government to that point because seizures from the Gujarat coast indicated that, of late, even compared to the figures of seizures in the month of October, there have been more seizures in the month of November and although December's figure is not with me, the figures I got till the 12th of December indicated that smuggling activities had intensified to some extent in the coast Therefore, there is need for this provision to put the kingpins behind bar and to keep them in detention for a longer period of time

Hon Members raised a very basi question—which I had answered on an earlier occasion also when we were asked why we were resorting to preventive detention measures and why we are not bringing these people under the normal laws of the land I had replied to this earlier, and I would like to repeat it, that it is not possible to bring these kingpins to task under the normal laws of the country, because of the very reason that they are behind this crime and they manage the whole affairs through their paid agents Therefore if we want to strike at the real point, if we want to take the kingpins to task, it is necessary to bring them to book by resorting to preventive detention measures

While making their observations, hon Members raised the question as to how many persons have been arrested by us and what steps have been taken by us against the absconders I would like to give some figures for the information of the hon Members Upto 24th January, 1976, the total number of detention orders issued is, 2 049 and out of these 294 persons were absconding We took some measures under the provision of section 7 of the Act Measures were taken to attach their properties, and as soon as actions were taken, nearly 99 persons who were absconding, surrendered to the police Therefore, the actual number of absconders which Mr Chandrappan has put in the order of 300 has been reduced by 100 It was of the order of 300 but when we resorted to these measures, they started surrendering to the police Till today

[Shri Pranab Kumar Mukherjee]

the number of persons who have not been actually detained would be of the order of 195 These include certain persons against whom detention orders have been issued in the last four weeks For example during the last four weeks we have issued detention orders against 71 persons, but 33 have actually been detained It takes some time, after issuing the detention order to get the man and put him behind the ears That time gap is there Therefore, the hon Members need not be worried about the large number of absconders

Regarding confiscation of properties, perhaps the hon Member has misunderstood the provision of the Bill It is not confiscation of the properties, it is attachment of the properties However for this confiscation of the properties of the smugglers and foreign exchange manipulators measures have already been taken That bill was, passed by this House it has been passed by the other House also, and that law will come into force

Mr Daga wanted to know what steps we were going to take to identify the properties of the smugglers and foreign exchange manipulators We have indicated this when that Bill was passed Their properties are being identified, those are being located, and the competent authorities which have been set up under the provisions of the Smugglers and Foreign Exchange Manipulators (Forfeiture of property) Act will take care of them It is true, we have collected certain information from these people

While making his observations, hon Member, Mr Halder, wanted to point out that, perhaps, the provisions which we are resorting to in this piece of legislation were to have some arrangements with the smugglers and foreign exchange racketeers That is his own conclusion That will not be a permanent thing, that is temporary release on the ground of health and on the ground of certain other social reasons We have released certain smugglers and foreign exchange racketeers who were detained under the provisions of COFEPOSA when there was a marriage ceremony and some such ceremonies That benefit has been extended to the political persons also to the hon Member's party colleague also There is nothing new in this In every detention Act, there is a provision for temporary release which is known as parole The amendment that we are trying to have in this piece of legislation is that, for temporary release in respect of State detenus, the Government of India will have the power Basically, COFEPOSA is a Central Act, it is the responsibility of the Government of India Therefore, we should be in a position to know whether there is any need for any temporary release in respect of State detenus also That is the only extent of the amendment which we wanted to bring There is no question of having any arrangement with the smugglers and foreign exchange racketeers The hon House and the Members are well aware that we have extended the provisions of the Act to all sorts of people irrespective of their social and economic standing, I would not like to repeal It is known to the hon House Wherever we have got evidence against those persons who are indulging in this type of activities, we have taken strong measures against them; we have put them behind the bars Regarding cases of normal prosecution many a time I have said, in answer to the questions of hon Members, in how many cases of normal adjudication, in how many cases under the normal Customs Act and Gold Control Act, we have penalised the offenders

Here I would like to indicate only one important feature which the hon. Members would, perhaps, like to know. As a result of these measures, remittances from abroad through legal channels have increased considerably; these moneys were previously utilised as a source of finance for bringing things from outside. Remittances through legal channels have increased considerably. I would like to give some figures. During January to October 1974 the total amount of remittances was Rs. 413 crores, while during the same period in 1975, it has increased to 730 crores. The remittances of foreign exchange from abroad through legal channels have increased 75 per cent. It is a clear indication that a substantial part of it was utilised by the foreign exchange racketeers and smugglers to import goods from those countries. It indicates that the anti-smuggling operations have had a salutory effect. Many a time, I have replied in this House quoting figures that while the number of raids, searches ad seizures has increased the quantum of goods seized has decreased. This is a clear indication that the anti-smuggling operations which this House approved are paying good dividends.

One hon. Member mentioned about the smuggling activities at the Indo-Nepal border. I do not rule out the possibility that at the Indo-Nepal border, some smuggling activities are still going on and to take care of that, we have created a special cell and a Collector of Customs (Preventive) has been entrusted with the job to look into the anti-smuggling operations in that particular area. We will have to keep in view the long borders, very difficult terrain and our trade relations with Nepal. We are trying to sort out the problems, but still loopholes are there. I personally took a meeting with those persons, who are incharge of anti-smuggling operations. We have streamlined the administrative machinery there. On certain points we wanted to have cooperation from his Majesty's Government of Nepal and they have readily extended their cooperation. With these measures, it would be possible to reduce the smuggling activities in those areas also.

श्री विभूति मिश्र (मोतीहारी) : पहले से बहुत कम हो गया है ।

SHRI PRANAB KUMAR MUKHERJEE: I hope, it will be reduced more and more. I hope, all the points which the hon. Members have mentioned, or most of them, have been replied to.

There is one more point which Shri Chandrappan wanted to bring to our notice and that is the use of large scale foreign garments by the people of Manipur. I would like to draw the attention of the hon. members that sometimes this may be misleading in the sense that we sell the confiscated goods through cooperative socities and cooperative organisations. Therefore, whenever somebody wears something imported, we should not come to the conclusion that it is smuggled, it may be legally purchased through cooperative stores, but I do not rule out the possibility of smuggling, as it is on the border of Burma; there may be some smuggling. I would look into that.

We have taken all measures to prevent smuggling. This is a continuous effort; this is not a one-time exercise. I have told many times on the floor of the House that anti-smuggling measures against economic offenders is not an operation which can be finished with one stroke. It is a continuous operation and that operation is going on and would go on relentlessly. I hope, the hon. Members agree with me and this Bill will be passed.

SHRI C. K. CHANDRAPPAN (Tellicherry): What about the UCO case; it is a very serious matter?

SHRI PRANAB KUMAR MUKHERJEE: I will have to look into it.

SHRI ERASMO de SEQUEIRA: Sir while moving my resolution for disapproval of this ordinance, I had asked, what were the reasons, why the ordinance had been brought forward. The hon. Minister, in his reply, said that one of the reasons was that these detentions were running out on the 31st December, and if this ordinance had not been brought forward, all would have been released on that day. I would like to draw his attention to the original Section 9, which quite clearly specified that for any order of detention made before the 31st December, 1975, there is a period of one year that would apply to their detention. I would like to ask him, what stopped them making a new order before that date, carrying on the detention for one year more and then coming forward to this House with a bill, instead of resorting to an ordinance. Therefore, I come to the unfortunate conclusion that the question of issuing ordinances, is becoming rather a matter of habit, a habit which, I think, should be very much discouraged, and I feel and continue to feel that this ordinance should be disapproved and the Government made to rule by law, and not by edict.

The hon. Minister said that the measures thus far taken had disrupted the organization of smuggling. I agree with him. They have. But, as he says, the vulnerable areas continue to be vulnerable, and this is really my complaint, that while the Government says that it has put the king-pins under preventive detention because it cannot catch them in the prosecution about so-called paid agents that they can catch, they are doing nothing. I have not heard of a single major prosecution for smuggling in the last six months, and this is something which the Government should really look at, because if they are serious about stopping smuggling, it is no good just to resort to preventive detention. There should also be a regular build up of cases, and it will take a considerable effort, and these people must be brought before the court, and got convicted.

From the allegations that are being made against the Gujarat Government, almost every day these days, it is my duty to say that it looks to us, that the only reason why the Gujarat Government is being singled out, is because it happens to be a government of the Opposition. Because, if smuggling and seizures have increased in the Gujarat coast, it is the duty of the Customs which is a central government organization, to bring it to the attention of the central government, which is supposed to have all the information and you have set up an Intelligence Cell and there is nothing to stop you from ordering further detention under the powers of the Central Act. But please stop blaming the Gujarat Government. If you want more detentions in Gujarat, go ahead and detain.

I am one with you when you seek the power to have parole granted for these detainees. My only request is that we should have an assurance in this House that in no condition will this parole be used to override the State Government. This will be very bad if it happens.

What I would really like to see in this Bill is that the detentions should be co-terminous, not with the Emergency, but with the elected term of this government, which runs out on the 18th of March, 1976, because on that day, they should seek a fresh mandate.

MR DEPUTY-SPEAKER I will now put the resolution of Shri Erasmo De Sequeira to vote

The question is

"This House disapproves of the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance, (1975) Ordinance No 29 of 1975) promulgated by the President on the 12th December, 1975"

The motion was negatived

MR DEPUTY-SPEAKER Now, the question is

"That the Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, be taken into consideration"

The motion was adopted

MR DEPUTY SPEAKER We shall now take up the clauses

Now, the question is

"That clauses 2 to 5 and 1 stand part of the Bill"

The motion was adopted

Clauses 2 to 5 and 1 were added to the Bill

Enacting Formula

SHRI PRANAB KUMAR MUKHERJEE I beg to move

Page 1, line 1,—

for "Twenty-sixth" *substitute* 'Twenty-seventh' (1)

MR DEPUTY-SPEAKER The question is

Page 1, line 1,—

for 'Twenty-sixth' *substitute* 'Twenty-seventh' (1)

The motion was adopted

MR DEPUTY SPEAKER The question is

"That the Enacting Formula, as amended stand part of the Bill"

The motion was adopted

The Enacting Formula, as amended, was added to the Bill The Title was added to the Bill

SHRI PRANAB KUMAR MUKHERJEE I beg to move

That the Bill as amended, be passed"

MR DEPUTY-SPEAKER The question is

"That the Bill as amended, be passed'

The motion was adopted

14.37 hrs

SUPPLEMENTARY DEMANDS* FOR GRANTS (NAGALAND), 1975-76

MR DEPUTY-SPEAKER The House now will take up discussion and voting on the Supplementary Demands for Grants in respect of the Budget for the State of Nagaland for the year 1975-76

DEMAND NO 6—LAND REVENUE STAMPS AND REGISTRATION

MR DEPUTY-SPEAKER Motion moved

'That a Supplementary sum not exceeding Rs 25,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Land Revenue, Stamps and Registration'"

DEMAND NO. 9—TAXES ON VEHICLES

MR DEPUTY-SPEAKER Motion moved

That a Supplementary sum not exceeding Rs 31,000 on Revenue Account be granted to the President out of the Consolidated Fund

*Moved with the recommendation of the President

[Mr. Deputy-Speaker]

of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Taxes on Vehicles'."

DEMAND No. 12.—CIVIL SECRETARIAT

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 13,16,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Civil Secretariat'."

DEMAND No. 13—DISTRICT ADMINISTRATION SPECIAL WELFARE SCHEME AND TRIBAL COUNCIL

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 6,79,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'District Administration Special Welfare Scheme and Tribal Council'."

DEMAND No. 15.—SPECIAL EXPENDITURE ON MAINTENANCE OF LAW AND ORDER INCLUDING CONTRIBUTION FOR PENSION AND GRATUITIES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,28,40,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Special Expenditure on Maintenance of Law and Order including Contribution for Pensions and Gratuities'."

DEMAND No. 16.—VILLAGE GUARDS

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 2,70,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Village Guards'."

DEMAND No. 17.—CIVIL POLICE AND FIRE SERVICE UNIT

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,52,15,000 on Revenue Account and not exceeding Rs 8,00,000 on Capital Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Civil Police and Fire Service Unit'."

DEMAND No. 20.—VIGILANCE COMMISSION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 80,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976

in respect of 'Vigilance Commission'."

DEMAND No. 22.—NAGALAND HOUSES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 97,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Nagaland Houses'."

DEMAND No. 24.—STATE LOTTERIES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 2,65,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'State Lotteries'."

DEMAND No. 26 EDUCATION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,00,86,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Education'."

DEMAND No. 28.—MEDICAL, PUBLIC HEALTH AND FAMILY PLANNING

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 15,53,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Medical, Public Health and Family Planning'."

DEMAND No. 34.—SOCIAL WELFARE

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 13,48,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of Social Welfare'."

DEMAND No. 36.—SOCIAL SECURITY, WELFARE AND COMMUNITY SERVICE

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 35,95,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Social Security, Welfare and Community Services'."

DEMAND No. 38.—CO-OPERATION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 2,37,000 on Revenue Account and not exceeding Rs. 15,84,000 on Capital Account be granted to the President out of the

[Mr. Deputy-Speaker].

Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during year ending the 31st day of March, 1976 in respect of 'Co-operation'."

DEMAND NO. 44.—GRAIN SUPPLY SCHEME

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,00,29,000 on Capital Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Grain Supply Scheme'."

DEMAND NO. 47.—INDUSTRIES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 10,45,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Industries'."

DEMAND NO. 49.—POWER PROJECTS

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 19,60,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Power Projects'."

DEMAND NO. 50.—ROAD TRANSPORT

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 11,50,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Road Transport'."

DEMAND NO. 52.—HOUSING LOANS AND LOANS TO GOVERNMENT SERVANTS

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,50,000 on Capital Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Housing Loans and Loans to Government Servants'."

DEMAND NO. 55—WATER SUPPLY SCHEMES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 74,82,000 on Revenue Account be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Water Supply Schemes'."

* Shrimati Rohatgi seems to have a very easy job today. Nobody has given any names to speak on the Demands. I will just put them to the House.

The question is:

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Nagaland and to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of the following demands entered in the second column thereof—

Demand Nos. 6, 9, 12, 13, 15 to 17, 20, 22, 24, 26, 28, 34, 36, 38, 44, 47, 49, 50, 52 and 55."

The motion was adopted.

14.39 hrs.

NAGALAND APPROPRIATION BILL,* 1976

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1975-76.

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1975-76."

The motion was adopted.

SHRIMATI SUSHILA ROHATGI: I introduce† the Bill. I beg to move†

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1975-76 be taken into consideration."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1975-76 be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: The question is:

"Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula, and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula, and the Title were added to the Bill.

SHRIMATI SUSHILA ROHATGI: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted

---

*Published in Gazette of India Extraordinary Part II, Section 2, dated 27-1-76.

†Introduced|Moved with the recommendation of the President.

14.41 hrs.

SUPPLEMENTARY DEMANDS* FOR GRANTS (PONDICHERRY), 1975-76

MR. DEPUTY SPEAKER: The House now will take up discussion and voting on the Supplementary Demands for Grants in respect of the Budget for the Union territory of Pondicherry for the year 1975-76.

DEMAND NO. 4.—ADMINISTRATION JUSTICE

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,59,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Administration of Justice'."

DEMAND NO. 6.—REVENUE

MR DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 5,47,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Revenue'."

DEMAND NO. 7.—SALES TAX

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 99,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Sales Tax'."

DEMAND NO. 8.—TAXES ON VEHICLES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 31,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Taxes on Vehicles'."

DEMAND NO. 9—SECRETARIAT

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,66,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Secretariat'."

DEMAND NO. 10.—DISTRICT ADMINISTRATION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 79,000 on Revenue Account and not exceeding Rs. 2,90,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'District Administration'."

*Moved with the recommendation of the President.

DEMAND No. 11.—TREASURY AND ACCOUNTS ADMINISTRATION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,91,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Treasury and Accounts Administration'."

DEMAND No. 12.—POLICE

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs 12,66,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Police'."

DEMAND No. 13.—JAILS

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,23,000 on Revenue Account be granted to the Persident out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Jails'."

DEMAND No. 14.—STATIONERY AND PRINTING

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1.14,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Stationery and Printing'."

DEMAND No. 15.—MISCELLANEOUS ADMINISTRATIVE GENERAL SERVICES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 14,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Miscellanous Administrative General Services'."

DEMAND No. 16.—RETIREMENT BENEFITS

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 14,49,000 on Revenue Acount be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Retirement Benefits'."

DEMAND No. 17.—PUBLIC WORKS

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 4,61,000 on Revenue Account and not exceeding Rs. 11,52,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will

[Mr. Deputy-Speaker].

come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Public Works'."

DEMAND No. 18.—EDUCATION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 57,66,000 on Revenue Account and not exceeding Rs. 5,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Education'."

DEMAND No. 19.—MEDICAL

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 66,33,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Medical'."

DEMAND No. 20.—INFORMATION AND PUBLICITY

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 92,000 on Revenue Acount be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of Payment during the year ending the 31st day of March, 1976 in respect of 'Information and Publicity'."

DEMAND No. 21.—LABOUR AND EMPLOYMENT

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 2,81,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Labour and Employment'."

DEMAND No. 22.—SOCIAL WELFARE

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 11,69,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Social Welfare'."

DEMAND No. 23.— CO-OPERATION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 88,000 on Revenue Account and not exceeding Rs. 3,78,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Co-operation'."

DEMAND No. 25—AGRICULTURE

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 3,77,000 on Revenue

Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Agriculture'."

DEMAND No. 26.—ANIMAL HUSBANDRY

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,40,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Animal Husbandry'."

DEMAND No 28.—COMMUNITY DEVELOPMENT

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 4,83,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Community Development'."

DEMAND No. 29.—INDUSTRIES

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 59,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Industries'."

DEMAND No. 30.—FOOD AND NUTRITION

MR. DEPUTY-SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 88,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Food and Nutrition'."

DEMAND No. 31.—ELECTRICITY

MR. DEPUTY-SPEAKAR: Motion moved:

"That a Supplementary sum not exceeding Rs. 4,83,000 on Revenue Account and not exceeding Rs. 12,88,000 on Capital Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of Payment during the year ending the 31st day of March, 1976 in respect of 'Electri city'."

DEMAND No. 32.—PORTS AND PILOTAGE

MR. DEPUTY-SPEAKAR: Motion moved:

"That a Supplementary sum not exceeding Rs. 12,000 on Revenue Account be granted to the President out of the Consolidated Fund of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976 in respect of 'Ports and Pilotage'."

*SHRI S. A. MURUGANANTHAM (Tirunelveli): Mr. Deputy Speaker, Sir, I rise to say a few words on the Supplementary Demands for Pondicherry on behalf of my party, the Communist Party of India.

Sir, in these Supplementary Demands, a paltry sum of Rs. 12,000

*The original speech was delivered in Tamil.

[Shri S. A. Muruganantham]

has been asked for Pondicherry Port Development. I wonder what the Government can do with this money for the development of Pondicherry Port, which occupies a pivotal place in the economic development of Pondicherry. Similarly, under the Supplementary demand 'Industries' a small sum of Rs. 59,000 has been asked for. Sir, how can the Government plan for industrial development of Pondicherry State with this meagre sum of Rs. 59,000. In fact, Sir, after the attainment of freedom from Franch rule, there has not been any industrial growth in Pondicherry. I should say that the industrial development of Pondicherry has been completely neglected. So far the industrial growth in Pondicherry has been confined to the industrial growth of Aurobindo Ashram. Aurobindo Ashram has developed industrially more than the Pondicharry State. In this house many times questions were raised about Shri Talwar, the Chairman of the State Bank of India, giving encouragement to the industries manned by Aurobindo Ashram by spending public money on the purchase of goods. I have no objection to his spending his own personal money for purchasing Aurobindo Ashram goods. But I object to his spending-spree with public money for giving fillip to the industries of Aurobindo Ashram.

Sir, I wish to point out that grave injustice is being perpetrated on the Scheduled Castes and Scheduled Tribes and other economically backward classes in Pondicherry though their upliftment has been given a place of honour in the 20 point economic programme adumbrated by the Prime Minister.

MR. DEPUTY-SPEAKER: Mr. Talwar giving money to Aurobindo Ashram—is it anywhere in these Supplementary Demands, I would like to know.

SHRI S. A. MURUGANANTHAM: It was raised many times on the floor of this House. Sir, for years and years the Harijan workers in the Pondicherry State have been demanding guaranteed minimum wages. Their demand of Rs. 6 per day has not yet been conceded. No legal steps have so far been taken either for guaranteeing them minimum wages or for increasing their daily wages.

MR. DEPUTY-SPEAKER: Mr. Muruganantham, please sit down for a minute. I am not preventing you from speaking. I am drawing your attention to the rule that when we discuss Supplementary Demands, we point out these demands listed and we say something on them. We do not make it a general discussion and say all kinds of things.

SHRI S. A. MURUGANANTHAM: I am coming to that. The Harijan workers in the State should be given statutory backing for their minimum wages and also legislative steps should be taken for enhancing their daily wages. In the Supplementary Demands under PUBLIC WORKS a sum of Rs. 4.61 lakhs has been asked for, while under the Demand POLICE a sum of Rs. 12.66 lakhs has been asked. With this sum of Rs. 4.61 lakhs, I wonder whether any worthwhile public works can be undertaken by the Government. For example, you will find even this day in Pondicherry open drainage. Though drainage scheme has been taken up two years before, yet no significant progress has been made. Adequate attention must be paid to this question of open drainage in Pondicherry. Sir, the Bharat Mill has been closed throwing 3000 workers out of employment. They are facing starvation. Immediate steps must be taken to re-open Bharat Mill in Pondicherry. In conclusion, I would refer to the widespread rumour of the Auroville City becoming a base of C.I.A. activities. I appeal to the Government that

necessary steps should be taken to prevent Auroville City becoming a seat of C.I.A. activities.

With these words I conclude.

SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Deputy-Speaker, Sir, in Pondicherry President's rule is continuing for a long time and Government has not yet announced when election will be held there. I want to know when election will be held there.

MR. DEPUTY-SPEAKER: How can Mrs. Sushila Rohatgi answer that question? How do you expect her to answer that question?

SHRI DINEN BHATTACHARYYA (Serampore): In the general discussion it can come.

SHRI KRISHNA CHANDRA HALDER: She represents the Government.

MR. DEPUTY-SPEAKER: Ask a question which she can answer.

SHRI KRISHNA CHANDRA HALDER: How long President's rule will continue, I do not know. The people of Pondicherry wanted that there should be an elected Government at the earliest possible time. Regarding the development programme, Pondicherry is a backward Union Territory. So, I think, for public work programmes there, more money should be allotted for the development of Pondicherry. What steps the Government are going to take, I want to know from the hon. Minister. The main industry in Pondicherry is the Textile industry and it is facing recession. Thousands of workers are retrenched and laid-off by the businessmen. Now that this is under President's rule, the Centre should take all positive measures so that this textile industry of Pondicherry can be saved and thousands and thousands of workers can be saved from retrenchment and starvation. I do not want to take more time. If the Government is serious about implementation of 20 Point programme, they should allot more money for the development of Pondicherry. They should also announce about the early elections to be held in that State. Thank you.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): There is not much to reply and I do not think I have much to say in reply. It is not possible to say when election will be held. It is very much dependent upon the situation there. About the point made by the CPI Member, I don't think I have anything to say on that.

About the latest speech to which the hon. Member has just now referred. I think that the 20-Point Economic Programme has made some headway and the Administration is implementing it as quickly as possible. That is all I can say.

MR. DEPUTY-SPEAKER: The question is:

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the Union Territory of Pondicherry to defray the charges which will come in course of payment during the year ending the 31st day of March, 1976, in respect of the following demands entered in the second column thereof—

Demand Nos. 4, 6 to 23, 25, 26 and 28 to 32."

The motion was adopted.

PONDICHERRY APPROPRIATION BILL*, 1976

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): With your permission, Sir, I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union Territory of Pondicherry for the services of the financial year, 1975-76.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union Territory of Pondicherry for the services of the financial year, 1975-76."

The motion was adopted.

SHRIMATI SUSHILA ROHATGI: I introduce† the Bill.

I beg to move·

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union Territory of Pondicherry for the services of the financial year 1975-76 be taken into consideration".

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union Territory of Pondicherry for the services of the financial year 1975-76 be taken into consideration.".

The motion was adopted.

MR. DEPUTY-SPEAKER: Now we take up clause by clause consideration. The question is:

"That Clauses 2 and 3, the Schedule, Clause I, the Enacting Formula and the Title stand part of the Bill.".

The motion was adopted.

Clause 2 and 3, the Schedule, Clause I, the Enacting Formula and the Title, were added to the Bill

SHRIMATI SUSHILA ROHATGI: I beg to move:

"That the Bill be passed."

MR DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

14.48 hrs.

ASSAM SILLIMANITE LIMITED (ACQUISITION) AND TRANSFER OF REFRACTORY PLANT, BILL

MR. DEPUTY-SPEAKER: We now take up the Bill to provide for the acquisition and transfer of the right, title and interest of the Assam Sillimanite Limited in respect of its Refractory Plant and for matters connected therewith or incidental thereto.

THE MINISTER OF STEEL, AND MINES (SHRI CHANDRAJIT YADAV): I beg to move†.

"That the Bill to provide for the acquisition and transfer of the right, title and interest of the Assam Sillimanite Limited in respect of its Refractory Plant and for matters connected therewith or incidental thereto, be taken into consideration.".

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 27-1-76.

†Moved with the recommendation of the President.

‡Moved with the recommendation of the President.

The Assam Sillimanite Company registered under the Companies Act, was granted a licence in January, 1960 under the Industries Act for the setting up of the refractory plant with a total production capacity of 46,000 tonnes per annum. The factory was to produce this in two stages—in the first stage, it was supposed to produce 29,000 tonnes and in the next stage 17,000 tonnes.

The company entered into a technical collaboration agreement with the West German firm providing for designing and commissioning of the refractory plant, provision of know-how, effective specialist training to the Indian personnel etc. The plant and machinery were also imported from West Germany and the payment thereof was made out of the loan advanced by the International Finance Corporation. But, unfortunately, even the first stage in which the company took certain steps was not fully completed and the work was stopped because of financial difficulties. The company was in a very bad situation financially. It has practically done nothing during the last fifteen years since the licence was granted in January, 1960. Moreover, the demand for the production of steel will further go up. This factory was supposed to produce a special type of refractory which this plant could produce was in short supply presently and we are still importing some refractories belonging to this category. When this plant did not work properly then it was closed down on 28th June, 1972 throwing more than 200 workers out of employment. The closure of the plant not only affected the workers concerned but was singularly unfortunate in the sense that at that time there was a general shortage of refractories in the country and we were importing a considerable quantity of refractories for steel and other industries. The workers of the plant repeatedly wrote to the then Minister and some of our hon. Members of this House also approached the Minister that because the factory is closed the workers are out of employment and, as such, the Government should take over this factory.

The company even did not publish any balance sheet and profit and loss account after 31st March, 1968. Its liabilities were very heavy and the management did not possess the required financial and other resources to resume production. Also, Sir, the factory had foreign equipment which will make it contribute to the production of refractories urgently needed by the steel plant. Now, in this situation the Government decided to take over the management of the plant under Section 18(A) (a) of the Industries Act for a period of three years and later on this period was extended. Now, the period is upto 2nd November, 1976.

After the Government took over the management of the factory the HSL has succeeded in bringing the pilot refractory plant into working order and it is a matter of satisfaction that today the pilot plant is producing upto 94 per cent of its capacity.

This has not only served to augment the supplies of refractories needed by the steel industry but has also helped in obviating the need for some of the imports and certain steps are being taken to reach the first stage of this factory. When the factory was under the private ownership, the condition of the workers was very bad. The lowest grade for unskilled workers was Rs. 20—30 and the minimum wage was Rs. 78.00 per month only. Some interim relief was given and the scales of pay suitably upgraded and the minimum wage was raised to Rs. 294.00 per month as on 1st April, 1975.

Sir, on the date of take-over of the factory the number of workers was 250 and at present there are 280 workers working in this factory. This fac-

[Shri Chandrajit Yadav]

tory had also some of the very good mines in Meghalaya but the Government of Meghalaya were not satisfied with the use of sillimanite deposits and investigation was made in 1972 which showed that the production from these mines had gradually come down and mining was being done in an unscientific manner and that proper attention had not been paid to the maintenance and repair and replacement of mining equipment. Sir, sillimanite from these mines is not only required as raw material for the manufacture of certain types of refractories but is also in demand in the international market. Government of Meghalaya, therefore, in consultation with the Central Government terminated prematurely these mining leases under the Mines and Minerals Act and accordingly fresh mining leases over the same areas in favour of HSL were given. Therefore, these mines now belong to HSL.

This company went in a writ petition to the Delhi High Court. Even today the case is pending. But seeing the overall interest of the country and the steel industry and also looking at the financial position of this Company which is not in a position to run this plant at all

SHRI DINEN BHATTACHARYYA Who are the management in this company?

SHRI CHANDRAJIT YADAV: I said it was a private company. One Mr. Wahi was the proprietor of this Company. The licence was issued in the name of that private company

The liabilities of the Assam Sillimanite Ltd. are very heavy. Presently, the entire assets of the plant are mortgaged. There is a large number of creditors some of whom have obtained court decrees and orders of attachment. In fact, at one time, the refractory plant was to be sold in auction at the instance of one of the creditors. It is therefore, obvious that the previous management would not be in a position to mobilise the additional substantial investment required for the completion of the plant, nor can it be trusted to run it efficiently and economically. It has practically done nothing, as I said, during the last 15 years. In this situation, the Government has decided to acquire the right, title and interest of the Assam Sillimanite Ltd in respect of its refractory plant with the following objectives (1) to complete the full erection of the plant utilising all available equipments at the earliest to augment the production of refractories so that we may complete both these stages, thus helping us to stand on our own legs so far as the demand of the refractories by the steel plants is concerned; (2) to modify it suitably so as to ensure the production of about 30 000 tonnes of high alumina and other specialised refractories, some of which are being imported, by investing more funds This would also lead to much larger employment It is going to substantially reduce our imports so far as this kind of refractories is concerned Thirdly, we have to run the plant efficiently and economically in the public interest providing to the workers suitable wages, amenities and facilities as in other public sector undertakings

Therefore, it is proposed to pay to the Company an amount of Rs. 107.17 lakhs. In addition, the Company will be also paid management compensation at the rate of Rs. 2,500 per month with effect from 2 November, 1972. This amount will be disbursed through a Commissioner of Payments to be appointed by the Government who will also decide on the claims of the various creditors

To safeguard the interest of workers, the Bill provides for overriding

priority in respect of arrears due to the employees in relation to provident fund, pension fund or any other fund established for the welfare of the employees and arrears of wages. Very often it is said in this House when a company is taken over, that in regard to those companies which were defaulters in depositing in the provident fund and also in paying wages, the workers' claims are not given priority and are neglected. Therefore, we are making a specific provision in this Bill itself that the workers' claims will be given overriding preference and would be the first charge on the assets of the company which the Commissioner would have to discharge

The second priority has been accorded to claims of secured creditors against the different assets. Most of the creditors are either the nationalised banks or the Government of Bihar.

Therefore, we are giving second priority to them. Hindustan Steel Ltd had, during the period the plant had been under the management of Government, provided funds mostly as working capital which are estimated to be of the order of Rs. 45 lakhs. This liability has been assumed by Government The Government has also assumed liability in respect of wages, salaries and other dues of employees in respect of any period after the management of the plant had been taken over by the Government.

I move.

15 hrs

MR. DEPUTY-SPEAKER: The payment to the workers is only in respect of the refractory plant? Or it also covers the workers in the mine?

SHRI CHANDRAJIT YADAV: As I mentioned, the lease was cancelled; it was given to this company. Now the least has been granted to Hindustan Steel.

MR. DEPUTY-SPEAKER: The company had many men there, who were working for the company.

SHRI CHANDRAJIT YADAV: I shall give that information; I hope that all the men who were working there in the mine, continue to work in the mines but I shall clarify your point after sometime.

MR. DEPUTY-SPEAKER: Motion moved:

> "That the Bill to provide for the acquisition and transfer of the right, title and interest of the Assam Sillimanite Limited in respect of its Refractory Plant and for matters connected therewith or incidental thereto, be taken into consideration."

Shri Dinen Bhattacharyya. Even the name of the management, you say you do not know; what are you going to say on that?

SHRI DINEN BHATTACHARYYA (Serampore): Suppose I know it. I have taken up the matter with the Ministry a long time back.

MR. DEPUTY-SPEAKER: Have you anything to say when you do not know the management?

SHRI DINEN BHATTACHARYYA: Mr. Deputy-Speaker, you have rightly asked whether there will be one company comprising this plant as well as the mine or the mines will constitute a separate subsidiary of the HSL. That point should be clarified. My apprehension is that the mine will be managed separately. The question I want to pose is: why was this company, which was given a licence 15 years back, which had the technical know-how as well as agreement for the supply of implement, machinery, etc. from West Germany, which had thus all the scope, tolerated by the government and allowed to continue when

[Shri Dinen Bhattacharyya]

the minimum wage was only Rs. 20, as per the hon. Minister's statement.

After all you are now coming for sanction to take it over only and you will pay them compensation at the rate prescribed. You have made a long statement on that matter. It would have been better if a copy of that policy statement had been put in the statement of objects and reasons of this Bill so that we could cover all those points. Now you are coming out with a sum of 2000 per month to this company. My apprehension is that this company has misappropriated not only the money of the Government but also the money of the share holders That is why I put the question: what is the name of the management of this company? It is a proprietor. I forgot the name you had just now mentioned.

MR. DEPUTY-SPEAKER: Wahi.

SHRI DINEN BHATTACHARYYA: Is it a proprietory concern or a company which has floated shares in the share market and got some money. What will happen to the shareholders if it is not a proprietory concern? Your Government has already announced that there will be no nationalisation henceforth; that is why you are not nationalising a company which has *prime facie* misappropriated moneys and also betrayed the trust reposed in that company by the government, by giving them permission to import machinery, technical know-how, etc from West Germany into this country. Why are you afraid of talking of bringing a Bill to fully nationalise the company? I know you are now taking care to protect the workers' rights and the views of the workers will be given priority. No doubt, it is a good step. But why are you not talking against this particular company which has committed a crime? If an ordinary person has pick-pocketed a sum of Rs. 5.0, he would have been sent to Tihar jail. But what have you done to this company which misappropriated the public money? Instead of taking action against this company, you are going to give them compensation at the rate of Rs. 2,000 per month. Is it a child's play? Will you come forward and say that under 20-point programme taking over of this company will be covered? How will you explain it? But I feel that this is not at all severe. I expect that you should at least....

MR. DEPUTY-SPEAKER: He is getting some information.

SHRI DINEN BHATTACHARYYA: From whom? He can get the information from me so that he can answer my points I have no quarrel with Shri Chandrajit Yadav. At least you have understood that we require these refractory plants, the special type of refractory plants. Mr Pai is sitting here and he knows about this. Otherwise he would have, by this time, contradicted my statement. Now, why don't you nationalise the refractory plants of Burn & Company? They did also so many mischiefs. But they have been left scot free Now, the same thing is happening in the case of a refractory plant in Madhya Pradesh, of the Burn & Company, which is not being taken over and nationalised. This is the position as far as my knowledge goes, otherwise kindly correct me. This is a very vital plant which is necessary for the steel industry. We are very much in shortage of this vital plant and that is why we have to import it.

So, my first point is that it should be nationalised. My second point is: don't allow this management to go merrily after defrauding the people, the workers and also the share-holders. There was a great expectation that we would be self-sufficient, at least to some extent, in the manufacture of this special type of refractory plants. Sir, it

is good that 94 per cent of this refractory plant has now been utilised, that is the pilot plant by the Government and it is the first step. When will you reach the second stage? For the last two or three years you are running it. You have already got one year's extension and again you have come with a Bill for extension. We have no grouse, but how long will you take to fully implement the plan for which it was originally meant? Don't hoodwink the people that by taking this over you are doing a service to the country and you pose that you have almost nationalised it. Let a spade be called a spade. You have no courage and your policy does not say so. You have abandoned the policy of nationalisation. That is why the textile and jute magnates are merrily looting the people.

MR. DEPUTY-SPEAKER: Please conclude now.

SHRI DINEN BHATTACHARYYA: Have I exhausted my time?

MR. DEPUTY-SPEAKER: You have.

SHRI DINEN BHATTACHARYYA: You come from Assam and you should be more interested in this.

MR. DEPUTY-SPEAKER: At the moment my concern is with the disposal of the Bill and not with my State.

SHRI DINEN BHATTACHARYYA: I request the Minister to be outspoken and truthful and say why he has not taken any punitive action against the company which committed such a crime. The government has adopted a phased programme, but the minister must give us a time-bound programme for completing it.

He has said that Rs. 294 is the existing minimum total including DA (after take over). But the steel workers in the public sector are getting more. Why not give the same benefit to these employees also?

There are so many refractories in the country. I want to know how many are being taken over by the government and how many are still in the private sector. Please take some steps in the matter of refractories run by private sector including nationalisation of the Burn & Co. refractory in Raniganj, for which we have made so many representations. Kindly look into the wages and other service conditions of the employees in the refractories all over the country.

श्री रामनारायण शर्मा (धनबाद) : यह जो असम सिलिमेनाइट (एक्विजिशन एंड ट्रांस्फर आफ रिफेक्ट्री प्लाट) बिल है इसका मैं हृदय से समर्थन और स्वागत करता हूं उपाध्यक्ष महोदय यह कारखाना इंडिस्ट्रियल डिवेपमेंट एंड रेग्यूलेशन एक्ट के अन्तर्गत दो नवम्बर 1972 को सरकार के प्रबन्ध में आ गया था और सरकार की तरफ से इसकी व्यवस्था हिन्दुस्तान स्टील लिमिटेड करता है। इस को सरकार ने ले कर इस कारखाने को बनाने वाले का जो मसूंबा था उसकी पहली स्टेज को पूरा किया है। वह पैरा नहीं कर सका लेकिन सरकार ने उसको पूरा किया है। आज हजार टन केपेसिटी के अनुसार वह इस काम को चला रही है। सरकार ने मजदूरों के हको, को उनकी मजदूरी महगाई भत्ते बोनस प्राविडेड फंड ग्रेचुइटी, पैंशन आदि सभी सुविधाओं को फर्स्ट प्रायोरिटी देकर एक आदर्श उपस्थित किया है कम्पेंसेशन की रकम जो है उसकी डिसपोजल में इसको फर्स्ट प्रायोरिटी दे कर सरकार ने एक सराहनीय कदम उठाया है।

[श्री रामनारायण शर्मा]

सरकार ने ट्रान्सफर और एक्विजिशन करके मैं कहूंगा कि नेशनलाइजेशन की पहले ही व्यवस्था कर ली है। बिना नेशनलाइजेशन के कम्पेंसेशन देने का प्रश्न ही नहीं उठता है। यह श्री दिनेन भतट्टाचार्य को मालूम होना चाहिये। उन्होंने शायद बिल को पढा नहीं है और न ही मंत्री जी के भाषण को सुना है। किताब उनके हाथ में जरूर है। लेकिन उसको अगर इन्होंने पढा होता या कम से कम उसके जो आबजेक्ट्स एंड रीजन्स हैं उनको पढा होता तो उनको काफी मसाला इस विषय में मिला जाता। यद्यपि यह लिमिटेड कम्पनी है लेकिन यह प्राइवेट कम्पनी है, प्रोप्राइटरशिप वाली कम्पनी है और एक ही व्यक्ति की कम्पनी है, वह चाहे जिस को डायरेक्टर बना दे और जिस को उससे बाहर कर दे। लेकिन यह कम्पनी इस प्रोप्राइटर के लिए सोने का अंडा दिया करती थी। आज सरकार ने उसको इस अंडे से महरूम कर दिया है इस कम्पनी के मालिक सरकारी खजाने से चाहे वह बिहार राज्य सरकार का हो या हिन्दुस्तान स्टील का हो या बैंक का हो करोडो रूपया निकाल चुके है। मेरी नजर में जो मुआवज की रकम है वह बहुत अधिक है। मंत्री महोदय ने बताया है कि कौन कौन क्रेडिटर है और वे चाहे बैंक हो या सरकार हो, एक तरह से वह सर्वसाधारण की ही पूंजी है और उन क्रेडिटर्ज को सरकार ने सैकिन्ड प्रायोरिटी दी है। अढाई हजार के हिसाब से हर महीने चालीस महीने तक एक लाख रूपया भी आप देंगे। इस तरह से एक करोड आठ लाख रूपया मुआवजे का होता है। मैं समझता हू कि इस मे से जो क्रेडिटर है उनको कुछ मिलने वाला नही है। मेरा सुझाव है कि रिफेक्ट्री को ट्रान्सफर और एक्विजिशन न करके समूचे असम सिलिमनाइट को ही टेक ओवर सरकार कर लेती तो अति उत्तम होता। जैसा आपने एक प्रश्न मंत्री महोदय से किया था माइंज का क्या होगा? खाली यहां लेबर का ही मामला नही है। यहां पर कुछ तो मशीनरी होगी, माइंज को चलाने के लिए कुछ तो मशीनरी यहा होगी। लीज कैंसल कर देने से और हिन्दुस्तान स्टील के नाम से लीज ले लेने से उस मशीनरी का क्या होगा? जब इस कम्पनी ने सारे बैंको और राज्य के खजाने से इतना रूपया वसूल किया है तब इसके जिम्मे वह भी छोडने की क्या जरूरत है। बिहार मे इनकी छोटी-छोटी दो क्ले माइन्स है, उनको भी कम-से-कम लेने की बात होनी चाहिये थी।

असम, मेघालय मे सिलिमेनाइट प्रति-टन 30 रूपये के हिसाब से निकाला जाता है और उसको विदेशो मे 300 रूपये प्रति टन बेचते है। इसलिये इनका सारा ध्यान तो विदेशो मे बेचने की तरफ जाता है। ये विदेशी मुद्रा का भी बहुत मन्युपुलेशन करते थे। इनका स्विटजरलैंड मे एकाउन्ट भी होगा। यह सारा रूपया यहां खर्च भी नही हुआ है। जो रूपया निकला है वह खदान या कारखाने मे लगा होता तो भी संतोष की बात होती। लेकिन जितना मन्युपुलेशन किया है और फारेन एक्सचेंज अर्न किया है, मेरा अनुमान है कि स्विडजरलैंड मे एकाउन्ट खोल रखा है। इनकी विदेशी पत्नी भी है। वे विंटर मे यहा रहते है और समर मे स्विटजरलैंड चले जाते है, वहा वास करते है। इस तरह से इन्हे ऐश करने की छूट दे दी गई है। इन्होने जो अब तक कमाया है, अगर उसकी ही छूट देते तो भी हम समझ सकते थे। सिलीमेनाइट की जो माइन्स असम और बिहार मे है, उनको भी सरकार को लेना चाहिये था। बहुत साधारण से संशोधन करने से यह सारे इसमें कवर हो जाते है। यह बडी खुशी की बात है कि

सरकार ने इसको हाथ मे लेकर प्रथम चरण को पूरा किया है जिससे 29 हजार टन रिफ्रैक्टरी निकलेगी। आज विदेशो मे रिफ्रैक्टरी मगानी पडती है। बोकारों स्टील प्लान्ट के लिये भी विदेशो से रिफ्रैक्टरी मंगानी पडती है। अब हमारी यह जरूरत पूरी होगी। जनवरी, 1960 मे लाइसेंस लेकर 1972 तक यह कम्पनी पूरा काम नही कर सकी। जून, 1972 में इन्होने इस बन्द कर दिया था और पाइलट प्रोजक्ट को भी बन्द कर दिया था। इसीलिये सरकार ने नवम्बर, 1972 मे इसे लिया। यह लिमिटेड कम्पनी 1960 में पैदा हुई और 1968 तक का उनके पास कोई एकाउन्ट नही है, फिर भी वह राज्य सरकारो और बैंको से कर्जा ले रही थी। कम से कम आज उस पर एक पूर्ण विराम लगा, यह बडी खुशी की बात है। मैं मत्री महोदय से आग्रह करूगा कि वह सदन को बताये कि उनके कितने क्रैडिटर है, और वे कौन कौन है? या वह यह भी बतलाये कि उनकी जो फायरक्ले की माइन्स बिहार मे है सिलिमेनाइट की माइन मेघालय मे है, उनको लेने के लिये सरकार क्या कदम उठा रही है?

SHRI CHAPALENDU BHATTACHARYYIA (Giridih) Mr Deputy-Speaker, Sir, I wholeheartedly welcome this Bill, which in effect means the nationalisation of the Assam Sillimanite Limited I do not know of a more deserving case of nationalisation and take-over than this factory

I will not touch upon the points already touched upon by my hon friends

MR DEPUTY-SPEAKER That would be a healthy precedent

SHRI CHAPALENDU BHATTACHARYYIA· The crux of the matter is the refractory. The take-over of this refractory will enable us to have a programme of production of refractories, because there are many varieties of refractories and to have a long-range view bearing in mind the national good

I would agree that the amount of compensation that we are paying is jolly well on the high side but, as against that, we have to consider the import substitution because otherwise we have to import refractories, literally from so many countries, particularly from those countries which are refusing to give us the technology in setting up blast furnaces

15.26 hrs

[SHRI VASANT SATHE *in the Chair*]

Here I would submit that not only the mines should be taken over but some sort of holding company should be built up right now, which can take over the kyanite mines, because kyanite and sillimanite are the basic raw materials for high alumina refractories The healthy functioning of the blast furnace and the efficiency of its operation does depend entirely upon the quality of the refractories Now there is some lag We have not got full expertise of production of refractories We have to plan ahead and get the technical data through collaboration, if possible, if not, by any other means by hook or crook, because close technical specifications and high standards are *sine qua non* of the efficiency of blast furnaces

While discussing this Bill, I would like to say that we have to put a stop on the export of sillimanite and kyanite, because they are scarce raw materials Even in the name of earning foreign exchange we should not export them, because we have not proved many mines which would be producing sillimanite in Nagaland or kyanite in Singhbhum The factory is strategically located and the cost of transportation will be low So, it is in the fitness of things that this factory is being taken over, especially

[SHRI CHAPALENDU BHATTACHARYYIA]

when all the steel plants are within a radius of 100 miles or so.

The pertinent question is whether after the take-over of the management of the company, Government will be compensating the workers by paying the backlog of unpaid wages, because there are cases of unpaid wages prior to the take-over in 1972. What will happen to such cases? I hope you will set a high standard and not the plea of limitation.

These take-over Bill have model or standard clauses. So, I whole-heartedly welcome and support this Bill.

SARDAR SWARAN SINGH SOKHI (Jamshedpur): I welcome the Assam Sillimanite Ltd. (Acquisition and Transfer of Refractory Plant) Bill. The undertaking is situated in my State of Bihar, and I would like to make some suggestions for the consideration of Government.

The Assam Sillimanite Ltd., which was granted a licence in 1960 to produce 46,000 tonnes of refractories per annum and was to be set up in two stages with imported machinery, failed during its erection period, rendering about 300 workers idle, thus hampering the expected production of refractories for the public sector steel plants, which had to be imported, due to which Government lost a considerable amount of foreign exchange which could have been saved and spent on some other more important requirements of the country.

The management of the refractory plant was initially taken over by the Central Government for a period of three years and subsequently for another year. I do not know why the Government did not take it over straightway as suggested by me then, when it was evident that the earlier management in the private sector had failed to erect the second stage of the plant. I cannot undersetand the reasons for this unnecessary delay. Similarly, there is only one steel plant left in the private sector which I have suggested should be taken over because they are going to compete with the Government in the foreign markets in steel, which would not be in the interests of the country. I want a clear-cut reply from the hon. Minister to this.

Government has got to pay under clause (8) Rs. 45 lakhs, under clause (9) Rs| 1,07,17,000 with four per cent interest per annum, plus Rs. 1,40,000 towards interest and under clause (10) another Rs. 2,500 per mensum—in all Rs. 1,55,00,000 unnecessarily. When we have amended the Constitution that if any plant or property is required by the Government in the public interest, Government need not pay any compensation, Government may pay even one rupee as a token, it is not understood why Government is going to pay Rs. 1,55,00,000. If Government want to pay such a huge compensation even when the plant is going to be taken over in the public and national interest, what was the necessity of amending the Constitution?

Another Rs. 6 crores is again required to be spent, as mentioned in the Bill, for fully erecting the second stage and suitably modifying the refractory plant. It would cost more than Rs. 6 crores if the second stage is not completed within a short period because prices of construction are going up day by day due to various reasons over which the Government have no control. Nothing is mentioned in this Bill as to when this plant would achieve its rated capacity and when the second stage of the plant would be completed.

It is mentioned in the Bill that if it is enacted, it is not likely to involve any other recurring or non-recurring expenditure. Perhaps the person who has drafted this Bill has got no idea of factories and plants under cons-

truction, or this para may have been overlooked by the Minister. No one can guarantee about the expenditure on such plants remaining stationary. The Government may have to revise the estimate of Rs. 6 crores during the second stage of construction of the refractory plant,....

MR. CHAIRMAN: You are not allowed to read. If you want to read it out, you can lay it on the Table of the House. Please do not appear to be reading.

SARDAR SWARAN SINGH SOKHI: Thank you very much. The Government may have to revise the estimate of Rs. 6 crores during the second stage of construction of the refractory plant, just like Calcutta underground tube railways. Till today the Railway Ministry does not know what would be the actual amount spent when this project would be completed. They do not know how much money will be required to complete the construction.

Clause 14 provides for the appointment of Commissioner on payment and a provision of Rs. 10,000 per mensem has been made. I would like to know from where this amount will come, who will pay, what is the time limit of this Commissioner and how long it will take to pay the claim of the claimants? With these words, I support the Bill.

श्री जयनाथ मिश्र (मधुबनी) : सभापति जी, मैं अपने विचार इस विधेयक पर व्यक्त करूं---उस के पहले मैं अपना कर्तव्य समझता हूं कि अपने नौजवान इस्पात मंत्री श्री चन्द्रजीत यादव की कार्यदक्षता और कार्यक्षमता की प्रशंसा करूं । देश में लोहे की जितनी आवश्यकता है, उस को दृष्टि में रखते हुए यदि हम पर्याप्त उत्पादन करते हैं तो एक्सपोर्ट के द्वारा हम बहुत बड़ी संख्या में बहुमूल्य विदेशी मुद्रा कमा सकते है । यह तथ्य किसी से छिपा नहीं है ।

श्रीमन्, इस कम्पनी को यह फैक्ट्री लगाने की अनुमति दी गई---लेकिन दुख यह है कि वह कम्पनी पहले चरण का काम ठीक से पूरा नहीं कर सकी । दूसरे चरण में वह केवल पायलेट प्रोजेक्ट को ही बैठा सकी, लेकिन उस के बाद उस को भी बन्द कर दिया, नतीजा यह हुआ कि हमारे 200 कर्मचारी बेरोजगार हो गये । इसी पृष्ठभूमि में मैं मंत्री जी से जानना चाहता हूं कि किन परिस्थितियों में, किन कारण विशेष से उस कम्पनी को स्वीकृति दी गई थी, जिस ने देश के साथ इतनी बड़ी धोखा बाजी की । मेरा यह प्रश्न है---किस आधार पर, क्या क्राइटेरिया था, जो उन को स्वीकृति दी गई और किस तरह से वे असफल हुए---इन सारी बातों को वे विस्तार से बतायें ।

उस के बाद 2 नवम्बर 1972 को इस कम्पनी का संचालन केन्द्रीय सरकार ने अपने हाथ में लिया और उस के जो सुन्दर नतीजे निकले हैं, उस के लिये तो मैं मंत्री जी को बार-बार बधाई ही दूंगा । श्रीमन आज जो विधेयक आया है उस में इन्होंने, कुछ कानून और नियम वहां काम करने वालों के लिये, अफसरों के लिये उत्पादन के हक में बनाये हैं, वे बड़े ही प्रशंसनीय हैं । मैं इन सारी बातों के लिये इन की भूरिभूरि प्रशंसा करता हूं, लेकिन एक दो प्रश्न पूछने से मैं अपने आप को रोक भी नहीं सकता ।

आप इस कम्पनी को मुआवजा देने जा रहे है---सब से पहले तो मुझे मुआवजा देने पर ही एतराज है, जिस ने मेरे साथ गद्दारी की है, उस को मैं मुआवजा दूं, यह कैसा न्याय है और इस के साथ ही आप ने यह प्रावीजन भी रखा है कि जब तक पूरी अदायगी न हो, तब तक 4 प्रतिशत का ब्याज भी देंगे । यह कुछ ठीक दिखाई नहीं पड़ रहा है । इस कम्पनी को चलाने के लिए

[श्री जगन्नाथ मिश्र]

हम को नये सिरे से सामान जुटाना पड़ेगा, मशीनरी लगानी होगी और काम को चलाने के लिये भी रुपया लगाना होगा—ऐसी सूरत में मैं नहीं समझता कि उन को किसी तरह का कोई मुआवजा दिया जाय। लेकिन आप उन को 1 करोड़ 7 लाख 17 हजार रुपया देने जा रहे है और उस पर भी 4 प्रतिशत का ब्याज देंगे। इस के अलावा केन्द्रीय सरकार को इस कम्पनी को विस्तार से चलाने के लिये 45 लाख रुपया और चाहिये। आप ने इस विधेयक के खण्ड 10 मे प्रोवीजन किया है कि जब से इस कम्पनी को लिया गया है, यानी 2 नवम्बर से, तब से उन को 2500 रुपया प्रति माह देंगे। और उस पर भी चार प्रतिशत का ब्याज होगा। यदि यह विधेयक अधिनियम हो जाता है तो सरकार को अनावर्ती व्यय 1 करोड़ 54 लाख 64 हजार रु० देना होगा, जिस में से 45 लाख रु० हिन्दुस्तान स्टील को संदेय होगा।

आप ने एक आयुक्त की नियुक्ति की है जो यह देखभाल करेगा कि किसी के साथ कोई अन्याय तो नहीं हो रहा है। जिस कर्मचारी को शिकायत होगी वह 30 दिन के अन्दर अपनी शिकायत देगा और किसी विशेष कारण से अगर 30 दिन के बाद भी आता है तो वह दूसरे 30 दिन मे अपनी बात कह सकता है। यह एक अच्छी बात है।

रिफ्रेक्टरी संयंत्र के निर्माण और परिवर्तन के लिये 6 करोड़ रु० और लगाना होगा। इस कम्पनी को हर्जाना भी देंगे और इस को चलाने के लिये भी रुपया खर्च करना पड़ेगा, यह कहां का न्याय है।

कर्मचारियों की सेवा एवं अन्य सुविधायें सुरक्षित रहेंगी, यह अच्छी बात है। कोई व्यक्ति संयंत्र के खिलाफ अपनी मांग उपायुक्त के सामने रख सकेगा यह भी अच्छी बात है। अगर रिफ्रेक्टरी के उत्पादन में वृद्धि होती है तो इस को अपने हाथ में लेना जनहित में है और इस विधेयक के उद्देश्यों की पूर्ति होती है। सब का कल्याण हो और यह कारखाना ठीक से चले और खूब लोहे का उत्पादन हो जिस से न केवल अपनी मांग ही पूरी कर सकें, बल्कि विदेशों की भी ऐक्सपोर्ट कर सकें इस आशा से और आकांक्षा से मैं इस विधेयक का हार्दिक समर्थन करता हूं।

श्री दामोदर पांडे (हजारी बाग) : सभापति जी, मैं इस बिल का स्वागत करता हूं। वह कारखाना मेरे निर्वाचन क्षेत्र में पड़ता है और इस की हर अच्छाई और बुराई को मैं अच्छी परह से जानता हूं। इसलिये भी कि मैं उन मजदूरों का प्रतिनिधि हू और उन की यूनियन का सभापति भी हूं। क्या क्या दिक्कतों को सामना करना पड़ा, तीन साल के बीच किस तरह की मुसीबतो के बीच रह कर यह कारखाना 3 साल चला, इस से मैं अच्छी तरह परिचित हूं। इस कारखाने की जो उत्पादन क्षमता आज है उस उत्पादन क्षमता को पूरे रूप से कार्य रूप मे लाने के लिये क्या क्या सकट खड़े होते थे, किस तरह से हाई कोर्ट और सुप्रीम कोर्ट की बदौलत हम एक आदमी की वहां बहाली नही कर सकते थे, एक मशीन मे रद्दोबदल नही कर सकते थे, कोई सुधार का काम नही कर सकते थे, इन सब दिक्कतों को मैं अच्छी तरह से जानता हूं। इन दिक्कतों की वजह से तीन साल कारखाना जो चला और उस के उत्पादन से जो मुनाफा कमाना चाहिये था वह हम नहीं कमा सके। मालिकों को ही मुनाफा हुआ हो ऐसी बात नहीं है मजदूरों को भी घाटा हुआ। जब आप ने हिन्दुस्तान स्टील के वेज स्केल को भंडारीदह में लागू

किया और हम ने कहा कि यहा भी उस को लागू करो तो यह सवाल खडा होता था कि यह कारखाना हमारा नही है, हम तो दूसरे की तरफ से चला रहे है। मतलब यह कि हमारा काफी नुकसान होता था। मुझे आशा है कि हमारी जो मुसीबत थी उस को आगे चल कर आप दूर कर देगे और तीनों कारखाने जो इन के अन्दर चल रहे है, जो देश के बडे से बडे कारखानों में है जिस के चलाने की जिम्मेदारी हमारे प्रातिशील मत्री महोदय पर है, इस को सुचारु रूप से चलाने के क्रम मे यह भी काम कर देगे ताकि मजदूरों को उन के उचित हक मिले।

एक, दो खामिया जो मुझे नजर आती है उन को बताना चाहता हू। एक तो हमारे पूर्व वक्ताओं ने भी कहा जहा यह प्रावधान रखा गया है कि बिल मे कि इस फैक्ट्री को टेक ओवर किया जाय और उस के सबधित चीजों को टेक ओवर किया जाय तो सेक्शन 2 (डी) और सेक्शन 5(1) मे थोडा मतभेद नजर आता है इस मे यह है कि खदान के अलावा सब को ले लेगे। तो खदान को क्यों नही लेगे ? खदान का लीज इस फैक्ट्री को इसलिये मिला था कि इस फैक्ट्री को चलाये। और इस के पूर्व मालिक के जो सारे कुकर्म सामने नही आये, थोडे से ही सामने आये, और उस का जो नतीजा हम देखते है सोना पहाड की सोनामनी माइन सिर्फ उस को चलाने के लिये कारखाने का नाम रखा गया। कारखाना बन्द रहता था, खदान चलती थी और मिनरल को ऐक्सपोर्ट किया जाता था और उस से जो पैसा कमाया जाता था उस को स्विटजरलैंड के बैंक में जमा किया जाता था। तो इस तरह का सिलसिला जो पूर्व मालिको के कुकर्मों का चलता था, वह नही चलेगा। मुझे खुशी है कि सोना माइस को हिन्दुस्तान स्टील चला रहा है। उस का लीज टर्मिनेट कर दिया गया और नये लीज में हिन्दुस्तान स्टील प्रोप्राइटर है और जितने भी उस मे वर्कर्स काम करते थे उन को उस मे रख लिया गया है। यह बडी खुशी की बात है, सतोष की बात है लेकिन छोटे छोटे मसले को ले कर चलाने की बात नये सिरे से करनी होगी और जिस तरह की गलती कोयला खदान में हुई कि पूरे कोयले उद्योग का नेशनेलाइजेशन नही किया गया जिस का नतीजा यह है कि दस दस, बीस बीस और पचास पचास साल पुरानी लीज वाली गैर-कानूनी कोयला खदानो का चलना शुरु हो गया है, ऐसा ही खतरा यहा भी नजर आता है कि कही मालिक खुद गलत तरीके से खदान चलाना न शुरु कर दे। फैक्टरी चलाने की उन की मशा कभी नही थी, वे तो खदान चलाना चाहते थे। अगर उस को छोड दिया गया, तो हम समझते है कि बहुत अन्याय हो जाएगा देश के साथ और इस कारखाने के साथ। तो मेरा सुझाव यह है कि उस में इस को शामिल कर लेना चाहिए।

दूसरा मेरा सुझाव यह है कि मजदूरो के बारे मे तो बडी गतिशील दृष्टि रखी गई है। कहा गया है कि उनका जो भी हक है वह उन को सब से पहले दिया जाएगा लेकिन दो खामिया रह गई है। एक तो यह है कि जिस दिन टेक-ओवर हुआ यानी सन् 1972 मे, इस से पहले की नौकरी का क्या होगा। बहुत दिनो से लोग वहा पर काम कर रहे थे, लेकिन उन की सर्विस की कन्टिन्यूटी के बारे मे कोई जिक्र नही है। यह तो सही है कि आप उन को नही निकाल रहे है और तीन साल से वे काम कर रहे है और आगे भी करते रहेगे लेकिन मेरा सुझाव यह है कि उन को सतोष देने के लिए इस के बारे मे अगर आप इस बिल मे कुछ रख देते तो इस से आप का कोई नुकसान नही हो जाता बल्कि उन लोगो को यह फायदा होगा कि जब वे रिटायर होगे, तो ग्रेच्युटी मे उ

[श्री दामोदर पांडे]

की पुरानी कम्पिन्स भी बांकी जाती । उस पुरानी कम्पिन्स को बांकने के लिए कन्टिन्यूटी आफ सर्विस का प्रावधान होना चाहिए और इस पर आप को विचार करना चाहिए।

दूसरी बात यह है कि प्रोविडेंट फंड की राशि को पुराने मालिको ने काट ली थी, उस को उन्होंने प्रोविडेंट फंड आफिस में जमा नही कराया । जो बकाया है, उस को तो मजदूर वसूल कर लेंगे लेकिन प्राविडेंट फंड के बारे में क्या होगा उस को थर्ड चार्ज किया गया है । फस्ट और सैकन्ड चार्ज मे उस को नही डाला गया है । कम्पेंसेशन के बारे में काफी विरोध यहा पर हुआ और सभी लोगों ने कहा है कि इतना कम्पेंसेशन क्यो दे रहे हैं । जितना कम्पेंसेशन आप दे रहे है उस मे से बैंक और सेक्योर्ड क्रेडिटर्स को चुकाने के बाद और मजदूरो का पैसा चुकाने के बाद प्रोविडेंट फंड के लिए एक पैसा भी बचने वाला नही है और प्रोविडेंट फंड का खाता खाली का खाली रह जाएगा । इसके बारे मे मेरा सुझाव यह है कि जिस तरह से मजदूरो के बकाया को फस्ट चार्ज दिया गया है, उसी तरह से प्राविडेंट फंड की जो बकाया राशि है और जिसे मालिको ने हडप लिया है, उस को भी फस्ट चीज मे शामिल करने का प्रावधान होना चाहिए और उस के बाद जो पैसा बचे तब आप सैक्योर्ड क्रेडिटर्स को दें ।

इस के साथ ही साथ मैं यह कहना चाहता हू और जैसा कि पूर्व वक्ताओ ने भी कहा है कि देश मे कल-कारखाने बने और ज्यादा से ज्यादा कल-कारखाने बने और इस के लिए प्राइवेट सैक्टर को ज्यादा तरजीह देते हैं लेकिन इस तरह की गुंडागर्दी जो प्राइवेट सैक्टर में हो रही है, उसे बन्द करना हमारा कर्तव्य होना चाहिए । आप ऐसे लोग हैं जिन्होंने लाखों करोड़ों रुपया बैंकों का हड़प लिया है, सरकार का हड़प लिया है । आज स्टील प्लान्ट की रिप्लेसमेंट की डिमान्ड को सब लोग जानते हैं । इसे काफी तरजीह दी गई है । सरकार ने इसके लिए काफी लोन दिया है, बैंकों ने काफी लोन दिया है । आज उस लोन के पैसे को खा करके कोई जा कर स्विट्जरलैंड में रह रहा है और किसी ने बम्बई मे अलग कारखाना खरीद लिया है ।

इस वजह से इन कारखानो की दुर्गति हो जाए तो सिर्फ कम्पेंसेशन एमाउंट से हम यह जो लोन की अदायगी करना चाहते है तो यह बात कुछ जचती नही है । क्या हम ऐसा नही कर सकते है कि जिस तरह से आज हमने स्मगलर्ज के वास्ते किया है ? इन लोगो ने गलत तरीके से जो प्रापर्टी एक्वायर की है, धन कमाया है क्या हम उस धन को जब्त नही कर सकते हैं ? क्या इसका प्रावधान इस बिल मे नही किया जा सकता है ? लाखो रुपया बैंको का, या सरकार का जो इन्होने हडप लिया है, डकार गए है अब जा कर स्विटजरलैंड मे घर बना लिया है, दिल्ली से बोश लीमेलिटीज मे घर बना लिए हैं, क्या उन घरो को हडपा नही जा सकता है ? इलीगल तरीको से उन्होने जिस प्रापर्टी को एक्वायर किया है क्या कर्ज के भुगतान के लिए उन प्रापर्टीज को एक्वायर नही किया जा सकता हैं ? मैं चाहता हू कि इस पर सरकार गम्भीरता से विचार करे ।

सिक्योर्ड क्रेडिटर्ज को जो आप कम्पेंसेशन देंगे वह तो देंगे ही । लेकिन यह तो एक हाथ से लेना और दूसरे से लेना होगा । या तो ये नेशनलाइज्ड बैंक हैं या बहार गवर्नमेंट

है या हिन्दुस्तान स्टील है जो खुद उसको चला रहा है। आपस में एक हाथ से देकर दूसरे हाथ में आप ले रहे हैं। ऐसा न करके मेरा सुझाव है कि गलत तरीके से पुराने मालिकों ने जो पैसा हड़पा है उस पैसे को निकालने की व्यवस्था होनी चाहिये और उसके लिए इस में प्रावधान होना चाहिये। एक पैसा भी अगर उनके जिम्मे निकले तो उसको निकाला जाना चाहिये। पूर्व वक्ता महोदय ने कहा कि 1968 का कोई एकाउंट नहीं है। अगर नहीं है तो उसकी एकाउंटेबिलिटी किस पर है? क्या कम्पनी ऐक्ट में प्रावधान नहीं है कि उसकी एकाउंटेबिलिटी वहां के मैनेजिंग डायरेक्टर या डायरेक्टर पर होनी चाहिये? क्या उनको आज हाल अप नहीं किया जा सकता है, कटघड़े में खड़ा नहीं किया जा सकता है। गलत तरीको से उन्होने जो धन बटोरा है उसके लिए उनको कठघड़े मे खड़ा करने का प्रावधान भी किया जाना चाहिये।

देर से ही सही, लेकिन आज जो शुभ कर्म होने जा रहा है, अच्छा काम आप कर करने जा रहे है, इसके लिए मैं आपको बधाई देता हू।

श्री रामावतार शास्त्री (पटना): हम असम सिलिमेनाइट लिमिटेड को अपने हाथ मे लेने के विधेयक पर विचार कर रहे हैं। सरकार के वक्तव्य के अनुसार इस कम्पनी ने 1960 मे लाइसेस प्राप्त किया था। उसके बाद दो चरणो मे इस कम्पनी को पूरे कारखाने को खड़ा कर देना था। लेकिन 1972 तक यानी बारह बरस तक, जोकि कम अर्सा नही है, कम्पनी कारखाने को नहीं बना सकी और उसके बाद सरकार को इसे अपने हाथ में लेना पड़ा। इतनी बड़ी गड़बड़ी इन लोगों ने की, इस कम्पनी के मालिक ने की तो आपने उसके खिलाफ कोई कार्रवाई क्यों नहीं की। क्या इलम ही क्या है कि हम केवल इस कारखाने को ले लें? कार्रवाई करने की बात तो दूर रही उनको मुआवजे के रूप में या पेमेंट के रूप में 1 करोड़ 7 लाख 17 हजार रुपये दिए जा रहे हैं। इसके अलावा अढाई हजार प्रत्येक माह में भी हम देंगे। फिर आप 4 प्रतिशत सूद भी उन्हें देंगे तो उन्हें यह क्या सजा मिली? उनकी तो पांचों उंगलियां घी में चली गईं। उन्होंने तो सरकार के आदेशों का उल्लंघन किया है और देश को नुकसान पहुंचाया है। जो रिफ्रैक्टरीज बन सकती थी, उनकी हमारे देश मे बहुत जरूरत है, वह तो बड़ी नही, बल्कि सरकार उनको इस तरह से रिवार्ड दे रही है, पारितोषक दे रही है, यह गलत बात है। उन्हें कुछ भी देने की जरूरत नही है, बल्कि उनसे कुछ वसूल करना चाहिये। उन्हें सजा मिलनी चाहिये, कुछ भी देने का सवाल है ही नही। ब्याज के नाम पर भी कानी कौड़ी देने की जरूरत नही है। पूरे कारखाने का राष्ट्रीयकरण करने की जरूरत है क्योंकि इसकी हमारे महा बहुत आवश्यकता है। होना भी यही चाहिये था।

मंत्री जी ने कहा है कि 1972 में कारखाना बन्द हो जाने से 200 से ज्यादा मजदूर बेकार हो गये, इसलिये उनके हितों की रक्षा करने के लिये इसे लेना ठीक था। जो भी मजदूर जब से काम कर रहे है, उसी समय से उनकी सेवा को जोड़ा जाना चाहिये। सरकार ने जब से इसे लिया है, उससे पहले की अवधि और कारखाना बन्द होने के समय की अवधि को भी उनकी सेवा की अवधि तसलीम करना चाहिये और उसे मानते हुए सारी सुविधाएं उनको दी जानी चाहियें। श्री दामोदर पांडे ने यह बहुत ही अहम सवाल

[श्री राम अवतार शास्त्री]

उठाया है। जब आप मजदूरों की मदद करना चाहते हैं तो मैं आपको धन्यवाद देना चाहता हूं। जब उनकी सारी सेवा की अवधि एक स्वीकार की जायेगी तभी उन्हें तमाम अधिकार भविष्य मे भी और अब भी प्राप्त होंगे। जो आप उनको सुविधाएं देना चाहते हैं, ट्रेड यूनियन कानून के मुताबिक, वह तभी उन्हें मिल सकेंगी जब उनकी सारी सेवा गिनी जायेगी। मजदूरों को सन्देह है कि जब कारखाना बन्द हो गया और उसके बाद जब सरकार ने उसको लिया, उसके बीच की अवधि के बारे मे सरकार क्या करने जा रही है ? चूंकि इस बिल मे इस बारे मे कोई जिक्र नही है इसलिये मजदूरों को सन्देह है कि उनकी सेवा मे व्यवधान पड़ जायेगा।

जहां तक प्राविडेंड फंड का सम्बन्ध है श्री दामोदर पांडे ने ठीक सवाल उठाया। मजदूरों का हिस्सा 6 लाख रुपये है। मालिकों का हिस्सा अलग होगा, लेकिन उनकी राशि का अन्दाजा मुझे नही है। यह सारा पैसा मजदूरों को मिल जाना चाहिये। पहले मजदूरों को पूरी अदायगी कर के फिर मुआवजा दिया जाये। अगर ऐसा नही किया जायेगा तो मजदूरों का आर्थिक नुकसान होगा, और आजकल की मंहगाई के जमाने में उनकी कठिनाई बढ़ेगी।

गवर्नमेंट इस कंपनी को टेक-ओवर कर रही है। हमारी तो मांग है कि इसका बिल्कुल राष्ट्रीयकरण कर दिया जाये। लेकिन अगर सरकार इसको सिर्फ टेक-ओवर करने तक तैयार है तो फिर उसको मुआवजा और कई दूसरी तरह से पेमेंट नहीं देना चाहिये।

मजदूरो के तमाम हितो की रक्षा की जानी चाहिये। ऐसा कोई सूराख न छोड़ा जाये जिससे उनको नुकसान हो। ऐसा न हो कि मालिक भी उनको कुछ न दें और सरकार के अधिकारी भी कहें कि बिल में यह साफ नहीं है, हम क्या करें। इसलिये सरकार को इस बिल में हर बात की बिल्कुल साफ साफ व्यवस्था करनी चाहिये ताकि मजदूरों को नुकसान न हो और रिफ्रैक्टरी का उत्पादन बढ़े। रिफ्रैक्टरी का उत्पादन 56 हजार टन होना था लेकिन 12 सालों मे कुछ उत्पादन नही हुआ। मालिकों ने गोलमाल किया है और राष्ट्रविरोधी काम किया है। जो मालिक लाइसेंस लेकर सरकार और देश को धोखा दे और उसके खिलाफ कार्यवाही न की जाये यह हमारी नपुंसकता है क्योंकि उन्होने सिर्फ सरकार को ही नही बल्कि देश को भी धोखा दिया है।

16 hrs.

[SHRI ISHAQUE SAMBHALI in the Chair]

श्री एम० राम गोपाल रेड्डी (निज़ामाबाद) : सभापति महोदय, हमारी यह परम्परा रही है कि किसी उद्योग या फ़ैक्टरी को टेक-ओवर करने के प्रश्न को आख़िरी समय तक गुप्त रखा जाये। जब स्वर्गीय श्री कुमारमंगलम ने स्टील फ़ैक्टरीज को टेक-ओवर किया था, तो उस मामले को वैल-गार्डिड सीक्रेट की तरह रखा गया था और किसी को कानो कान ख़बर तक नही हुई थी।

मैं मंत्री महोदय से यह जानना चाहता हूं कि इस कम्पनी के टेक-ओवर का चर्चा कब से चल रहा है। क्या इस कम्पनी के

मालिक को पहले से ही यह मालूम हो गया था कि टेक-ओवर होने वाला है ? इस बात की सफाई होना बहुत जरूरी है । (व्यवधान)

अगर सरकार किसी कम्पनी की मशीनरी आदि के खराब होने और उसके एसेट्स के बर्बाद होने के बाद उस को ले लेगी, वह उस की लायबिलिटीज के लिए भी जिम्मेदार होगी और उस को मुआवजा भी देगी, तो इस का मतलब यह है कि कम्पनी का मालिक बहुत सस्ते मे छट जायेगा, और जिन लोगो ने उस कम्पनी मे इनवेस्ट किया है, उन सब का बहुत नुकसान होगा । इसलिए मैं चाहता हूं कि इस बात की एनक्वायरी होनी चाहिए कि इस कम्पनी को किस तरह मिसमैनेज किया गया है ।

अभी माननीय सदस्यो ने बताया है कि इस कम्पनी के मालिक ने प्राविडेट फड भी हज्म कर लिया है और मजदूरो को भी पैसा नही दिया है । मै यह जानना चाहता हू कि क्या सरकार इस बारे मे और कोई ऐक्शन लेने जा रही है या नही ।

जहा तक कम्पेन्सेशन का सम्बन्ध है लाइबिलिटीज को 100 परसेंट एडजस्ट करने के बाद अगर कुछ बचता है, तो वह मालिक को दे दिया जाये । अगर लायबिलिटीज को एडजस्ट करने के बाद एसेट्स कम पड़ते हैं, तो क्या गवर्नमेंट उस व्यक्ति की जाती जायदाद को अपनी निगरानी मे ले कर नुकसान की भरपाई करने के लिए तैयार है या नही ? अगर सरकार की नीति यही रही, तो देश का हर एक कम्पनी-मालिक अपनी कम्पनी को दिवालिया करार देगा, कम्पनी के असासे को अपने घर मे रख लेगा और कम्पनी को गवर्नमेंट को हैडओवर कर देगा । शूगर मिलो के राष्ट्रीयकरण की भी बहुत चर्चा हो रही है । कई शूगर मिलों मे कोई मशीनरी नही है, खाली टिन शेड पडे हुए हैं । इसलिए गवर्नमेंट को हर एक कम्पनी की करतूतो पर खास निगरानी रखनी चाहिए । इस कम्पनी की लायबिलिटीज के बारे मे गवर्नमेंट क्या करने वाली है, अगर मिनिस्टर साहब डीटेल मे इसका जवाब दें, तो मुनासिब होगा ।

इस्पात और खान मंत्री (श्री चन्द्रजीत यादव) सभापति महोदय, इस बहस के दौरान कई सवाल उठाये गये है । पहले तो मै सभी माननीय सदस्यों का बडा आभारी हू कि उन्होने इस बिल को सराहा है कि इस कारखाने को सरकार को अपने अधिकार मे लेना जरूरी था । मैने पहले ही बताया था कि इसकी अहमियत को समझना चाहिए । हमारे इस्पात के कारखानो के लिए रिफ्रैक्ट्री की बहुत जरूरत है और इस मुल्क मे हमे ज्यादा से ज्यादा रिफ्रैक्ट्री बनानी है । जिस तरह की माइन्स इस फैक्ट्री के पास थी वह एक खास तरह की माइन्स थी, उसको ले कर हम उस तरह की रिफ्रैक्ट्री बना सकते थे । हमारा ध्यान इस की तरफ काफ़ी है कि हम अपने मुल्क मे अपनी जरूरत के मुताबिक रिफ्रैक्ट्री बनाए और सार्वजनिक क्षेत्र मे अधिक से अधिक बनाए । इसीलिए भिलाई कारखाने की अपनी योजना है 1 लाख 10 हजार टन की रिफ्रैक्ट्री बनाने की । तो हमारा प्रयास उस दिशा मे पहले से ही है कि हम ज्यादा से ज्यादा रिफ्रैक्ट्री बनाए, सार्वजनिक क्षेत्र मे बनाएं और अपने कारखाने की जो जरूरत है उस को उस से पूरा करे तथा जो हम को दूसरे मुल्कों से मगाना पडता है उस को जितनी जल्दी से जल्दी बन्द कर सके करे ।

[श्री चन्द्रजीत यादव]

कई बातें कही गई हैं इस कारखाने के मालिक के बारे में और इस कारखाने के बारे में। अगर इसकी हालत बुरी न होती और इसका प्रबन्ध खराब नहीं होता तो इसको लेने की जरूरत नहीं थी। अभी भी हम अपने देश में मिश्रित अर्थ-व्यवस्था को मानते हैं। उसमें बहुत से कारखाने और बहुत से उद्योग धन्धे लोग चला रहे हैं। लेकिन जब कोई नियमों का उल्लंघन करता है और उस का प्रबन्ध ठीक से नहीं कर पाता, देश को नुकसान होता है, जिस चीज की जरूरत होती है वह उस मे ठीक से पैदा नहीं करता है तो सरकार को ऐसे वक्त पर ऐसा कदम उठाना पड़ता है और इसीलिए आज से लगभग 3 साल पहले इस कारखाने का प्रबन्ध जब काफी खराब हो गया था उस समय उस को लिया गया और माननीय दामोदर पाडेय जिनके क्षेत्र में यह कारखाना है उन्होंने इस मे काफी दिलचस्पी ली क्योंकि उस वक्त मजदूर बेकार हो गए थे। तो मजदूरों के हित को ध्यान मे रखते हुए, उस प्रदेश के हित को ध्यान में रखते हुए सरकार ने उस वक्त उचित समझा कि इसके प्रबन्ध को अपने हाथ में ले ले।

कहा गया कि हम इसका राष्ट्रीयकरण क्यों नहीं कर रहे हैं? अब हमारी समझ में नहीं आता कि हम शब्दों के जाल में क्यों फंसते है? यह कारखाना मुकम्मिल तौर पर सरकार खुद अपने हाथ मे ले रही है, यह नहीं कि प्रबन्ध ले रही है, बल्कि कारखाना खुद सरकार अपने हाथ में ले रही है। अब इसको राष्ट्रीयकरण आप नहीं समझते हैं तो दूसरा क्या है। पब्लिक सेक्टर की सम्पत्ति यह कारखाना होगा। इस का प्रबन्ध इसके सम्बन्धित राज्य सरकार के या हमारे किसी सार्वजनिक क्षेत्र के हाथ में होगी।

दूसरी बात—कई माननीय सदस्यों ने इस पर जोर दिया है कि हम इसमें जो रकम दे रहे हैं—कोई कम्पेन्सेशन हम नहीं दे रहे हैं—लेकिन जो रकम हम को देनी पड़ रही है वह काफी बड़ी रकम है। इसको हम देखें तो 107 लाख 17 हजार रुपया हम को इस वक्त देना है अगर हम 38.05 लाख को निकाल दें जो हिन्दुस्तान स्टील की इस मे पूंजी लगी हुई थी जिस के लिए सरकार ने अपने ऊपर जिम्मेदारी ली है। अब इस में हम दे किस को रहे हैं? अगर सरकार के एक हाथ से दूसरे हाथ को देना है तो उस का सवाल नहीं होना चाहिए। अगर केन्द्रीय सरकार को बिहार सरकार को देना है तो मेरा ख्याल है कि बिहार के कई माननीय सदस्यों ने इस पर भाषण दिया, कोई नहीं चाहेगा कि न दिया जाय। बिहार सरकार को अपनी आमदनी कम है, सीमित आमदनी है, अगर उस को पैसा न दिया जाय तो उस को भी दिक्कत होगी। या हमारी जो बैंक्स है जो कारोबार करते है, कर्जा देते है, एक संगठन है, आटोनामस बाडी है, अगर बैंकों का कर्जा सारा मारा जाय और लोग खा जाय तो बैंक बन्द से कर्जा देना बन्द कर देंगे। तब भी एक दिक्कत पड़ेगी। यह नहीं है कि हम कोई मालिक को दे रहे है। 107.17 लाख में से 7 लाख 3 हजार तो हम श्रमिकों को दे रहे हैं। मुझे खुशी है कि माननीय सदस्यों ने इस बात का स्वागत किया है। हम ने खास तौर से इस बात को देखा कि जो श्रमिकों का रुपया बकाया है उस को पहली प्रायॉरिटी देनी है। सबसे पहले उन का बकाया

रुपया उनको दिया जायेगा ताकि जो हमारे श्रमिक हैं जिन्होंने पहले भी काम किया है पुराने मालिक के जमाने में उनकी सैलरी बाकी है या उन का प्राविडेंट फाड का रुपया बाकी है तो उसको पहली प्राथमिकता देनी है। उस के बाद उस से बड़ी रकम पंजाब नेशनल बैंक को देनी है जो राष्ट्रीयकृत बैंक है। इस बैंक का 70.15 लाख रुपया है जो हम इसको देंगे। सेकेण्ड प्रायरिटी सेक्योर्ड लोन्स की है और यह सेक्योर्ड लोन में से है। 107 लाख जो दे रहें है उसमें से 70 लाख 15 हजार रुपया पंजाब नेशनल बैंक को देंगे। स्टेट बैंक आफ इंडिया को 6.21 लाख रुपया देंगे और बिहार सरकार को 23 लाख 78 हजार रुपया देना है। यह अगर आप देखें तो यह सारा रुपया जो हम दे रहे है यह वाकई मजदूरों को, पंजाब नेशनल बैंक को और स्टेट बैंक को तथा बिहार सरकार को हम दे रहे है सिवाय 1 लाख रुपये के जो मनेजमेंट कम्पेन्सेशन के रूप में हम को देना पड़ेगा। वह भी हमारे ला डिपार्टमेंट की ऐडवाइस है सुप्रीम कोर्ट की एक रूलिंग की बुनियाद पर, उसी के लिए 1 लाख रुपया मनेजमेंट कम्पेन्सेशन का है।

श्री दामोदर पांडेय : प्राविडेंट फंड जो खा गए उस में ऐडजस्ट किया जाय।

श्री चन्द्रजीत यादव : वह सब बात मैं आप से और कर लूगा। इस वक्त कानून जो बन रहा है वह इस प्रकार है।

श्री राम नरायण शर्मा : 7 लाख 3 हजार जो है उस में प्राविडेंट फंड की रकम है या नहीं ?

श्री चन्द्रजीत यादव : है। तो ये मुख्य बात थीं जिन के ऊपर जोर दिया गया था। दूसरी बात मैं यह कहूंगा, कहा गया कि खाने जो हैं वह क्यों नहीं ले रहें हैं ? खानों की स्थिति यह है कि स्टेट गवर्नमेंट उन की कानूनन ओनर होती है और वह लीज पर देती है। इस को हम कोई ऐक्वायर या नेशनलाइज नही कर रहें हैं। खान स्टेट गवर्नमेंट की प्रापर्टी है और वह खुद लीज पर उस को देती है। क्यों कि इस कारखाने को जरूरत थी तो वह इस तरह से उन से लीज पर लेते थे। मेघालय की सरकार ने खुद समझा कि कम्पनी इसका इस्तेमाल ठीक तरह से नहीं कर रही है। और हम को भी जरूरत थी—इस लिए पहले से उन की लीज कन्सिल कर दी गई और यह लीज हम को—यानी हिन्दुस्तान स्टील को 20 साल के लिए मिल गई है। उनकी लीज अवधि से पहले ही कन्सिल कर दी गई थी।

कुछ उन के पास ऐसी मशीन्ज और प्रापर्टी थी—जिस के लिए हम जरूरी नही समझते थे कि पैसा खर्च करें, उन का हम कोई कम्पेन्सेशन नही दे रहे है और न ही हम ने वैल्यूएशन कराया है। ऐसी बहुत सी चीजें उनकी खान पर थी और कुछ मशीनें कलकत्ता में भी थी। इसलिए जो चीजे हम ने जरूरी नही समझी, उन के लिए कम्पेन्सेशन देना और उन का एक्वायर करना हमने मुनासिब नही समझा।

मुख्य रूप से जो प्रश्न उठाये गये है—मैं फिर इस बात को दोहरा देना चाहता हूं कि हम ने इस बात का पूरा ध्यान रखा है कि हमारे मजदूरों का हित खराब न हो। पहले वहां पर 215

[श्री चन्द्रजीत यादव]

मजदूर बेकार पड़े हुए थे, लेकिन अब वहां पर 280 हैं. पहले उन का वेतनक्रम भी बहुत दयनीय था, उस को सुधारने का प्रयत्न भी किया है। जहां तक कारखाने में रुपया लगाने की बात है, अगर कारखाने को बनाना है तो रुपया तो लगाना ही पड़ेगा, कारखाने की प्रोडक्शन को बढ़ाना है तो उस के लिए भी जो खर्चा जरूरी है, वह करना ही होगा। जहां तक मेरे मित्र श्री भट्टाचार्य, श्री पाण्डे जी और श्री शर्मा जी के सुझावों का प्रश्न है—हम ने उन बातों को ध्यान में रख कर ही इस कानून को बनाने की कोशिश की है और इस बात की कोशिश की है कि कैसे वहां की व्यवस्था और ज्यादा बहतर हो सकती है, कैसे मजदूरों के हितों की रक्षा हो सकती है। फिर भी मैं उन तमाम सुझावों का स्वागत करता हूं और आगे भी आप जो सुझाव देना चाहें, अवश्य दीजिए—मैं उन पर अवश्य विचार करूंगा। मैं आप को यह विश्वास दिलाना चाहता हूं कि ऐसे मजदूर जो आज हमारे राष्ट्रीय उत्पादन को बढ़ाने और खास तौर से ऐसे हल्को के उत्पादन के बढ़ाने में जो देश की औद्योगिक प्रगति के लिए जरूरी है, बड़ी मेहनत से काम कर रहे हैं, जो हमारे उत्पादन को बढ़ाने में दिन-रात काम कर रहे हैं, हमारे औद्योगिक क्षेत्र में जिन मजदूरों ने शान्ति की व्यवस्था पैदा की है, उन मजदूरों के हित, उन की भलाई—चा उन की नौकरी का सवाल हो, महंगाई भत्ते का सवाल हो, शिक्षा और स्वास्थ्य का सवाल हो, उन के मनोरंजन का सवाल हो, इन सब बातों पर ध्यान रखा जायगा कि हमारे मजदूर सन्तुष्ट रहें और देश के उत्पादन को बढ़ाने में हमेशा सहयोग दें।

इन शब्दों के साथ मैं आशा करता हूं कि आप इस विधेयक को पास करेंगे।

SHRI D. BASUMATARI (Kokrajhar): I wish to ask one question as this relates to Assam. There is a rumour that this is pre-manipulated by the persons concerned and that the compensation paid by the Government is very high. I want to know whether this is correct or not.

SHRI CHANDRAJIT YADAV: I think the hon. Member has not heard the translation because this was the first thing which I explained. This is only the amount which we are going to pay and this is not really speaking, a compensation. And, in this amount which we are going to pay, the priority, which is first priority is to the dues of workers and this is about Rs. 7 lakhs. We have to pay to the workers, provident fund, salary and other dues. The second thing will be the secured loans and about those loans I have given the figure. Some of the loans belong to the other nationalised banks, Bihar Government, etc. The figure about Punjab National Bank is Rs. 70.15 lakhs, State Bank of India Rs. 6.21 lakhs and Bihar Government Rs. 23.78 lakhs totalling to Rs. 100.14 lakhs. I have given this figure already.

MR CHAIRMBAN: The question is:

> "That the Bill to provide for the acquisition and transfer of the right, title and interest of the Assam Sillimanite Limited in respect of its Refractory Plant and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We now take up clause by clause consideration.

श्री रामावतार शास्त्री: मेरे अमेंडमेंट्स का क्या हुआ!

सभापति महोदय आप के अमेंडमेंट देर में आये हैं इसलिय नहीं लिये जा सकते हैं।

MR. CHAIRMAN: There are no amendments to clauses 2 to 8.

The question is:

"That clauses 2 to 8 stand part of the Bill".

The motion was adopted.

Clauses 2 to 8 were added to the Bill.

MR. CHAIRMAN: There are amendments to clause 9. Shri Somnath Chatterjee, Dinen Bhattacharyya and Shri Samar Mukherjee are not here.

The question is:

"That clause 9 stand part of the Bill".

The motion was adopted.

Clause 9 was added to the Bill.

MR. CHAIRMAN: There are no amendments to clauses 10 and 11.

The question is:

"That clauses 10 and 11 stand part of the Bill".

The motion was adopted.

Clauses 10 and 11 were added to the Bill.

MR. CHAIRMAN: There are amendments to clause 12. Shri Somnath Chatterjee, Shri Dinen Bhattacharrya and Shri Samar Mukherjee are not here.

The question is:

"That clause 12 stand part of the Bill".

The motion was adopted.

Clause 12 was added to the Bill.

MR. CHAIRMAN: There is an amendment to clause 13. Shri Somnath Chatterjee, Shri Dinen Bhattacharyya and Shri Samar Mukherjee are not here.

The question is:

"That clause 13 stand part of the Bill".

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 and 15 were added to the Bill.

MR. CHAIRMAN: There are amendments to clause 16. Shri Somnath Chatterjee, Shri Dinen Bhattacharyya and Shri Samar Mukherjee are not here.

The question is:

"That clause 16 stand part of the Bill".

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17 to 30 were added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 1 stand part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill.

Enacting Formula

MR. CHAIRMAN: There is Government amendment.

Amendment made:

Page 2, line 5,—

for "Twenty-sixth"

substitute—

"Twenty-seventh" (9)

(*Shri Chandrajit Yadav*)

MR. CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Preamble and the Title were added to the Bill.

SHRI CHANDRAJIT YADAV: Sir, I move:

"That the Bill as amended, be passed."

MR CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

16.20 hrs.

STATUTORY RESOLUTION RE DISAPPROVAL OF DELHI RENT CONTROL (AMENDMENT) ORDINANCE AND DELHI RENT CONTROL (AMENDMENT) BILL

SHRI INDRAJIT GUPTA (Alipore): Sir, I beg to move:

"This House disapproves of the Delhi Rent Control (Amendment) Ordinance, 1975 (Ordinance No. 24 of 1975) promulgated by the President on the 1st December, 1975."

The statutory resolution of disapproval of the Delhi Rent Control (Amendment) Ordinance, 1975, I have moved. Naturally I will take this opportunity of making my general observations on the Bill which is also to be discussed along with my Resolution.

First I must explain the reason for my tabling this Resolution of disapproval because at first sight it might be claimed—and it is actually being claimed by the Government in the statement of objects and reasons—that certain classes of people who did not enjoy any protection from eviction under the existing Act are now going to be conferred with some measure of protection and that this was a long-standing demand of the people which also is a fact. It is a fact that under the existing dispensation, which this amendment seeks to change, on the death of a tenant the other persons occupying that premises along with him including members of his family are liable to be evicted straightway. They had no claim to remain in occupation of the premises once the tenant had died. Now, the Government is wanting in the statement of objects and reasons to confer the right of tenancy on certain heirs/successors of a deceased statutory tenant so that they may be protected from eviction by landlords. This is what is sought to be conferred by this Bill. In Clause 2 certain categories of persons have been specified such as (a) spouse, (b) son or daughter, or where there are both son and daughter both of them, (c) parents, (d) daughter-in-law being the widow of his pre-deceased son. These relations of the deceasad person may be permitted to continue in possession after the termination of his tenancy provided they had ordinarily been living in the premises with such person up to the date of his death. Sir my reason for opposing this amending bill is that if you go into the provisions of the Bill, you will find that actually the protection that it claims to confer is being negated and nullified by some of the provisions and by and large, if the Bill is taken as a whole, we apprehend that the net gainer in the end will not be the tenants of this city but the landlords. In all big cities today in metropolitan cities of this country,

this housing problem has become very acute. As you know, shortage of housing has given an opportunity to greedy land-owners, unscrupulous land-owners, house-owners, landlords to impose all sorts of exorbitant and extortionist conditions on tenants who are willy-nilly bound to accept them because they have such an urgent requirement of dwelling places that they have no choice in the matter. My submission is that no bill of this type can be taken into consideration without reference to the specific context of housing conditions in which our cities are today functioning. This is not something in the vacuum. The Government must bear in mind the plight of hundreds of thousands of tenants who are faced with the appalling conditions and who are at the virtual mercy of landlords and house-owners and who have no choice in the matter but to agree to all sorts of conditions, many of them underhand conditions, which are not stipulated anywhere on paper, which are in the nature of extortions, illegal extortions from them, whether they be called 'pugree' or 'salami' or anything of that type. They have no alternative but to agree to it. It is in this background that this Bill has been brought and I am sorry to say that what it seeks to give with one hand by way of some relief to the tenants may really in practice be taken away by the other hand. For example, in Clause 2, this amending Bill seeks to introduce Explanation—I, Explanation—II and Explanation—III all very lengthy explanations. And what would be the effect of these? For example, Explanation-II reads as follows:

> "Explanation II: If the person, who acquires, by succession...."

Succession means in this context certain categories of relations whose order of succession has been laid down here first being the surviving spouse of the deceased tenant, the second in order of precedence being his son or daughter or both if there is no surviving spouse, third being his parents if there is no surviving spouse, son or daughter of the deceased person and the fourth being his daughter-in-law, being the widow of his pre-deceased son, etc. Now, Explanation—II says like this:

> "Explanation II: If the person, who acquires, by succession, the right to continue in possession after the termination of the tenancy, was not financially dependent on the deceased person on the date of his death, such successor shall acquire such right for a limited period of one year; and, on the expiry of that period, or on his death, whichever is earlier, the right of such successor to continue in possession after the termination of the tenancy shall become extinguished."

What does it mean? If I was a tenant and I happen to die, my widow, who might have been employed somewhere and earning, would then be considered as not having been financially dependent on me at the time of my death and at the end of one year, her right of possession will become extinguished. In Delhi, there are many cases where both the husband and wife are employed. One might be a doctor or teacher, the other a government clerk and so on. There may even be a case where the husband, in whose name the tenancy is registered, is not earning and his wife may be earning. If there is no surviving spouse, the son might have been earning. According to this explanation, such surviving spouse or son would lose the right of possession after one year and can be evicted after one year for no fault of theirs.

Explanation III says:

> "Such extinguishment shall not affect the right of any other successor of the same category to continue in possession after the termination of the tenancy; but if there

[Shri Indrajit Gupta]

is no other successor of the same category, the right to continue in possession after the termination of the tenancy shall not, on such extinguishment, pass on to any other successor specified in any lower category or categories...."

The lower categories are parents, widowed daughter-in-law etc. Their rights are automatically extinguished since they do not belong to the same category as the person who loses the right after one year by reason of Explanation II. This is one part of the Bill which deals with the question of successors and their right to continue in possession.

The second part of the Bill comes under Chapter III about the right of the landlord to recover immediate possession in certain cases. In the statement of objects and reasons, it is said that the procedure for eviction of tenants should be simplified in case the landlord requires the premises *bona fide* for his personal occupation. One instance of what the government claims would be a *bona fide* requirement of the landlord is what is stated in Chapter III: Where a landlord who, being a person in occupation of any residential premises allotted to him by the Central Government or any local authority is required, by, or in pursuance of, any general or special order made by that Government or authority, to vacate such residential accommodation on the ground that he owns a residential accommodation either in his own name or in the name of his wife or dependent child, there shall accrue to such landlord a right to recover immediately possession of any premises let out by him' This is the first part. Since the Central Government has allotted me some residential accommodation and I am the owner of another house in Delhi, therefore, the Central Government or the local authority ask me to vacate the premises which they have given to me, and then I have the *bona fide* right to evict immediately the tenant to whom I have let out the other private house. By doing so, what will be the fate of the person who is living as tenant in the private house owned by me. This Chapter 3, clause 5 I would submit, is nothing but something which is done entirely for the convenience of the Government without taking into consideration anything of human problem which will be involved. The point is that he has been given a Government accommodation and Government say that he must leave that accommodation...

AN HON. MEMBER: Even the Ministers can be asked to vacate.

SHRI INDRAJIT GUPTA: First you have to find out whether he is having the accommodation in his own name or benami.

Obviously, the landlord who is supposed to vacate the Central Government accommodation must find a place to live. But he has been given the right to immediately evict the tenant to whom he has let out his private house. This, I think, is rather a ruthless measure The Government has brought forward this Measure for its own convenience to get its houses immediately released but what will be the fate of the tenant? Secondly, 'Where the landlord exercises the right of recovery conferred on him by subsection (1), no compensation shall be payable by him to the tenant or any person claiming through or under him and no claim for such compensation shall be entertained by any court, tribunal or other authority.' It means that if I am the owner of two private houses in Delhi and I am also getting Central Government accommodation and Government tells me to release that accommodation, I am in a very fortunate position. If I have got two houses, I am asked to take possession of only one of them. I can choose the one which fetches lower rent and for the other I can get higher rent and so, I shall take recovery of any one

of the houses. With immediate effect without paying any compensation to the tenant. I really do not think that the type of landlords whom we have in mind and whose excessive demands we want to curb, is only in Delhi but in all big cities like Bombay, Calcutta, etc. these things are going on. People have built two or three private houses—not always in their own names, sometimes in benami names also and yet they occupy official accommodation. To the extent I am deprived of Government accommodation, of course, I am a loser. But thereafter, what do I do? If I have 2 or 3 houses. I can exercise the right of recovery of one of them. The others can remain rented out by me; and in regard to the one that I want to recover, the tenant to whom I have let it out, has to be evicted immediately, with immediate effect and without any compensation. This, I think, is a very undesirable thing. And the net effect of this will be that many innocent tenants will be faced with the prospect of immediate eviction, whereas the landlord who is in the happy position of having one or more than one private building, will really not suffer at all.

In the "Statement of Objects and Reasons", reference is made to the *bona fide* requirement of the landlord to occupy certain premises for his personal occupation. I do not find anything in the bill, apart from this particular instance of somebody who is occupying Central Government accommodation and has also got his own house; but what about the common case where landlords want to get rid of some tenant and give the excuse that they want it for their own personal use, but in actual practice, it is nothing but an excuse and the ultimate motive is something else? Having got that tenant out, for the sake of show, the landlord may occupy it for a short time; but the real motive is to rent it out for a higher rent. He cannot get it done, when the old tenant is there. In order to perform this manoeuvre, he puts forward the plea that he requires it for his personal use. Where is the protection against this? Since the Statement of Objects and Reasons says that all that is necessary is that the landlord should be able to say that he wants these premises for his own personal use, where is the guarantee that this is nothing but a cover, in practice, for extorting a higher rent from tenants in future? There seems to be no protection here; there is not even one that in such a case, the landlord must file an affidavit that he was really going to use it for his personal use and was not going to rent it out again at a higher rent. I do not find it here, anywhere in this Bill.

Lastly, in the Third Schedule to this Bill, where the form of the summons is laid down—its title is:

> "Form of Summons in a case where recovery of possession of premises is prayed for on the ground of bona *fide* requirement....".

—it is said that the tenant is being asked to appear before the Controller within fifteen days of the service thereof; in default whereof, the applicant will be entitled at any time after the expiry of the said period of fifteen days to obtain an order for eviction from the said premises I think this is a most unreasonable provision. This means that some kind of a summary procedure is being sought to be imposed. Suppose that man is not in Delhi at that time, suppose he has gone out of the city on some work or on a holiday or something—here a summons is served on him and he is expected to appear before the Rent Controller within 15 days and if he fails to appear, i.e. in default of it, the landlord will be given permission to go and get him evicted immediately. I think that if such things are now incorporated in this Act, they will only give a handle to the landlord to carry out all sorts of other manoeuvres, with the net

[Shri Indrajit Gupta]

purpose of getting these tenants evicted and of either re-renting out those premises at higher rents or, at best, of being able to.... (*Interruptions*)

AN HON. MEMBER: It is only for his own living after 15 days.

SHRI INDRAJIT GUPTA: No, no. This summons is to be served on the tenant to the effect that whereas an order of eviction is being contemplated against him on the *bona fide* claim of the landlord that he wants to occupy that premises, the tenant must appear before the Controller within 15 days, in default of which the applicant, i.e. the landlord will be entitled at any time after the expiry of the said period of 15 days, to obtain an order of eviction of the tenant. This is unreasonable and it cannot possibly be made part of the statute in this kind of rigid way so that the tenant is not given a reasonable time and opportunity to appaer before the Rent Controller and plead his case. This is more or less what I wanted to say.

The point is, when after many many years the Government is coming forward with a Bill to amend the Delhi Rent Control Act, we were expecting and hoping that a much more comprehensive statute would be brought forward, which would really give some substantial relief, practical relief, to the hundreds of thousands of ordinary middle group and lower group tenants, who are suffering in this country, not in Delhi alone, from the extortion of the landlords. All that this Bill seeks to do is to lay down the order of succession of certain relatives who will be entitled to occupy the premises after the decease of the tenant, provided of course they have not committed the sin of becoming wage-earners or the salary-earners; once they become that, they will not be considered as financially dependent and they will be chucked out after one year. That is all that this Bill seeks to do that I am aware of, which can be called a progressive, step. All the other provisions are weighted in favour of the landlord. That is why I have moved my Resolution, disapproving the Bill.

SHRI BHAGWAT JHA AZAD (Bhagalpur): Suppose fifteen days after the eviction of the tenant, the landlord does not go and live in that house but rents it out again. Then what happens?

MR CHAIRMAN: Resolution moved:

> "This House disapproves of the Delhi Rent Control (Amendment) Ordinance, 1975 (Ordinance No. 24 of 1975) promulgated by the President on the 1st December, 1975"

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI H. K. BHAGAT): I will answer the questions raised by both Shri Indrajit Gupta and Shri Bhagwat Jha Azad

I beg to move:

> "That the Bill further to amend the Delhi Rent Control Act, 1958, as passed by Rajya Sabha, be taken into consideration"

The question of amending the Delhi Rent Control Act, 1958, has been pending for a long time. The Government propose to bring subsequently a comprehensive legislation in this connection before Parliament, likely to be brought in the next session Meanwhile, with a view to conferring a right of tenancy on a certain category of heirs/successors of a deceased statutory tenant so that they may be protected from eviction by landlords and also for simplifying the procedure for eviction of tenants in case the landlord requires the premises *bona fide* for his personal occupation and consequent on the Government deci-

sion on 9th September, 1975, that a person who owns his own house should vacate the Government accommodation allotted to him before 31st December 1975, the Government considered that in the circumstances, the Act required to be amended urgently. The matter was discussed with the Members of Parliament from Delhi, who also stressed the urgency of the matter to provide relief to persons against whom eviction proceedings were pending in courts on this account.

As the Parliament was not in session, the Delhi Rent Control Amendment Ordinance, 1975, was promulgated on the 1st December, 1975. The Bill seeks to replace the said Ordinance.

The provisions relating to protection conferred on heirs/successors have a retrospective application. The Bill has been already passed by the Rajya Sabha.

I will answer the points raised by the hon. Members later. I commend the Bill for consideration.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Delhi Rent Control Act, 1958, as passed by Rajya Sabha, be taken into consideration."

*SHRI KRISHNA CHANDRA HALDAR (Ausgram): Mr. Chairman, Sir. I rise to oppose the Delhi Rent Control (Amendment) Bill, 1976 and extend my full support to the resolution of Shri Indrajit Gupta. Sir, it will be more appropriate if the title of the Bill under discussion was changed to Delhi Rent Increase and Tenant Eviction Bill, 1976. This is what I feel after going through the provisions of this Bill. Before Shri Bhagat became a Minister, may be two years before his becoming a Minister, when he was a simple member of Parliament elected from Delhi, he had espoused the cause of the tenants. Many tenants of Delhi came to me at that time to put forth their grievances and I had sent a representation to the senior Minister Shri Raghu Ramaiah to high light the difficulties faced by the tenants of Delhi. I remember, Sir, that I had also given a notice for raising a discussion under Rule 377 for putting forth the grievances of the tenants before this House. Mr. Bhagat had also at the same time given another notice under Rule 377 on the same subject. Hon. Minister of today Shri G. S. Dhillon was the Speaker at that time. He had ignored my notice for raising a discussed but had permitted Shri Bhagat to raise the discussion under that Rule. During the discussion Shri Bhagat had said and it is on record that the rights of the tenants should be protected. Rights of tenancy should be available to the successors of a deceased tenant. His successor should be given protection against eviction. This was pleaded by Shri Bhagat at that time and I remember that I had fully supported his views. But the irony is that after he became Minister Shri Bhagat forgot his earlier views and has broughtforth a legislation which is totally against the interests of the tenants and is rather pro landlord. It actually stands to benefit the houseowners. On 1st December 1975 an Ordinance was promulgated and now he has come before this House for enacting a legislation to replace that ordinance. This Bill has been passed by Rajya Sabha. I will request Shri Bhagat to withdraw this Bill while there is still time and to bring a comprehensive Bill before this House through which the rights of the tenants can really be protected. Sir, when this Bill be-

*The Original Speech was delivered in Bengali.

[Shri K. C. Haldar]

comes an Act many poor people, the salaried people and petty shopkeepers etc. will be uprooted from their dwellings and establishments Mr Indrajit Gupta while moving his resolution had spoken in detail about the difficulties likely to be faced by these poor people I will therefore not go into details again. It has been provided in this Bill that if any of the successors of a deceased tenant has any income of his own then he will be evicted from his residence within one year You know Sir, that housing problem is very acute in all the major cities as well as in Delhi If a person happens to get employment in Delhi he is faced with problems of accommodation, it is a big problem for him where to stay In this difficult housing situation if this Bill is passed ten thousands of people belonging to the weaker sections will stand to suffer It has been provided in the Bill that if a person owning a house in Delhi, is in occupation of any residential premises allotted to him by the Central Government or any local authority then he will have to vacate the Government accommodation and shift to his own house And such a person can get his own house vacated immediately This way Sir, thousands of people will be evicted from their present accommodation and no means of providing such people with alternative accommodation have been thought of Mr Salve was saying that the Ministers will also be affected by this legislation, I do not know whether such a provision is there in this Bill but I know that there are many Ministers, Members of Parliament even the President of India may be having a house of his own in Delhi These people should also vacate the Government accommodation and shift to their own houses Such a provision should also be included in this Bill Sir, there may be a situation where three or four persons are running a business as shareholders or partners. One of them is having the tenancy rights on the premises occupied by them House rent receipts are also issued in his name. Now, if this person in whose name the tenancy right stands, gives up his partnership and goes away then the rest of the persons who are staying on the premises and running their business will have no right to continue and will have to evict the premises They will be evicted and will have to close down their business They will be uprooted and ruined in the process This will also give rise to many malpractices and corruption as pointed out by Shri Indrajit Gupta. Under threat of eviction the rent will be raised again and again and there is no mention of affording protection to such tenants Other corrupt practice like *Salami*, *Pugree* etc will be resorted to for which no receipts are ever issued Therefore, I believe that this legislation is being enacted primarily with a view to benefit the landlords of Delhi Sir in Clause 6 of Chapter III provision has been made for summary trial Mr Gupta has already mentioned about the form of summons It has been provided that if the tenant fails to appear before the Controller within 15 days of the issue of the summons then ex parte judgement will be delivered and he will be uprooted from his premises Through this provision also, the landlords are being helped and they are being endowed with limitless powers to harass the tenants. This does not extend any protection whatsoever to the tenants and will only generate corrupt practices. The tenants will be put to endless difficulties and harassment as a result of this legislation and they are not really being helped in any manner In these days of emergency when the Government is crying hoarse about the 20-point programme supposed to benefit the weaker sections, at such a time this piece of legislation is very

much surprising. I will again request Shri Bhagat not to stand on prestige and to withdraw this Bill while there is still time otherwise the poor tenants of Delhi will be in a very sad plight and will be terrorised by the landlords. If this is withdrawn then the thousands of tenants in Delhi will bless him for relief. I again request him to withdraw this Draconian legislation. With these words Sir, I oppose this Bill and again extend my full support to the resolution of Shri Indrajit Gupta disapproving the Delhi Rent Control (Amendment) Ordinance, 1975

17 hrs.

श्री शशि भूषण (दक्षिण दिल्ली) : सभापति महोदय, अगर श्री भगत जी इस बिल पर एक दृष्टि डालें, तो वह स्वयं यह अनुभव करेंगे कि यह एक लंगड़ा बिल है। स्वयं उन्होंने अभी यह फ़रमाया है कि वह इस बारे मे एक काम्प्रिहेंसिवल बिल लायेंगे। जब उन्होने एक विस्तृत बिल लाना ही था, तो फिर यह विक्षिप्त बिल शीघ्र लाने की क्या आवश्यकता थी ? उन्होने अपने भाषण मे कहा है कि दिल्ली के पार्लियामेंट के मेम्बरो ने कहा है कि यह बिल जल्दी लाया जाये। पाच साल पहले भारत सरकार ने एक कमेटी बनाई थी, जिसके सुझावो को ला मिनिस्ट्री के पास भेजा गया। उसके अनुसार तीन साल पहले मेट्रोपालिटन कौंसिल का एक इमर्जेन्सी सेशन बुलाया गया। मेट्रोपालिटन कौसिल ने जो बिल पास कर के भेजा था, उस को ताक पर रख दिया गया है। दिल्ली के लाखो किरायेदार क्या इस बिल की इन्तज़ार कर रहे थे ? मैं समझता हू कि अगर इस विधेयक का नाम "मकान-मालिको का संरक्षण बिल" रखा जाये, तो कोई ग़लत नही होगा।

आज स्थिति यह है कि अगर किसी सरकारी कर्मचारी की मृत्यु हो जाये, और यदि उस का वारिस सरकारी नौकरी करता है, तो उस के दरख्वास्त देने पर सरकार विशेष नियम अनुसार उस को सरकारी मकान पुन: एलाट कर देती है। सरकार अपने मकान तो किरायेदार के बच्चो को दे देती है, लेकिन अगर किसी प्राईवेट मकान में रहने वाले किरायेदार का बच्चा कोई सिर्फ़ नौकरी करता है, तो एक साल के बाद उस को वह मकान खाली करना पडेगा। आज दिल्ली मे ऐसे बहुत से गरीब लोग रहते है, जिन का बच्चा भी नौकरी करता है और बीबी भी नौकरी करती है। अगर ऐसा कोई किरायेदार मर जाये, तो उन लोगो को साल के बाद उस मकान से निकलना पडेगा। पता नही, किस दृष्टि से यह व्यवस्था की गई है। दिल्ली मे मुश्किल से चार या पाच हजार सरकारी कर्मचारी होगे, जिन के लिए यह बिल लाया गया है। लेकिन हजारो दूसरे मालिक-मकान इस से फ़ायदा उठायेगे। इस वक्त दिल्ली मे मकान-मालिको के कम से कम 60,000 केसिज फौजदारी तथा सिविल के चल रहे है, जो किरायेदारो को निकालना चाहते है।

इस बिल मे ऐसा कोई प्रावधान नही है कि अगर कोई मालिक-मकान अपनी जरूरत के लिए मकान ख़ाली कराये, और उस के बाद उस मकान को फिर से किराये पर दे दे, उस को क्या सजा दी जायेगी ? यह मुनासिब होगा कि उससे एफ़िडेविट ले लिया जाये कि मकान ख़ाली होने पर वह स्वयं उस में रहेगा। जो

[श्री अशिभूषण]

व्यक्ति इस सुविधा का दुरुपयोग करे उस को सीसा मे बन्द किया जाना चाहिये अथवा अन्य सजा दी जाये। लेकिन इस बारे मे कोई प्राविजन नही रखा गया है।

साउथ और बगाल क जो लोग दिल्ली मे रहते हैं, उन की दशा भी खराब है। उन को मालिक की ओर से, रसीद तक नही दी जाती है। आज किराये पर भी कोई सीलिग नही है। आज ऐसी कोई व्यवस्था नही है, जिस से किरायेदारो के हित मे कुछ किया जा सक।

कई मालिक-मकान ऐसे सरकारी अफसर है, जिन के पास दस दस हजार रुपये किराये के मकान हैं। अगर ऐसे किसी व्यक्ति का मकान खाली हो गया तो एक फर्नैट म वह र ा और बाकी का फिर से दस, ह हजार रुपये किराये पर दे देगा। आखिर एक व्यक्ति क लिए तीन चार कमरे काफी है।

यह बिल किरायेदारो के हित मे नही है। इस लिए श्री भगत जी को इस को वापस लेना चाहिए, या इस को सिलेक्ट कमेटी मे भेजना चाहिए, ताकि एक नया साच विचार के बाद विस्तृत बिल लाया जा सके, जिस मे किरायदारो का वास्तव मे फायदा हो। यह बिल बहुत जल्दबाजी मे लाया गया है। आखिर इस को किन लोगो न ड्राफ्ट किया है? ला मिनिस्ट्री ने जो रिकमेड किया है यह वह बिल नही है। सरकारी अधिकारियो ने यह बिल बना दिया है। यह बिल हमारे 20—पायट प्रोग्राम के विपरीत है। काश! अगर प्रधान मत्री जी एक बार भी इस बिल को पढ लें, तो मुझे पूरा विश्वास है कि वह तुरन्त इस को बदल देगी। मत्री महोदय भी दिल्ली के पार्लियामेट के मेम्बर रहे हैं। वह स्वय इन समस्याओ को अच्छी तरह जानते है। इस बिल को सिलेक्ट कमेटी मे भेज देना चाहिए। इस वक्त ऐसे बिल की कोई आवश्यकता नहीं है। यह बिल किरायदारो के हित के खिलाफ है, हमारी पार्टी क हित के खिलाफ है और हमारे लक्ष्यो के खिलाफ है। हम ने इस सदन मे इस से ज्यादा अधूरा और खराब बिल पश होते नही देखा है।

श्री इसहाक सम्मली (अमरोहा) सभापति महोदय, श्री इन्द्रजीत गुप्ता ने जो कुछ कहा है मैं उस को पूरी तरह सपोर्ट करता हू। इसलिए मैं उन चीजो के बारे म जो वह कह चुके है दोहराने मे टाइम नही लूगा। मैं चन्द प्वाइन्ट्स और रखना चाहता हू।

सब से पहली चीज यह है कि हमारे भाई, हमारे रहनुमा भगत जी, जिन के लिए न सिर्फ उस क्षेत्र मे बडी इज्जत है, पूर हिन्दुस्तान मे वह एक बहुत अच्छे काग्रेसमैन और प्रोग्रेसिव इसान ख्याल किए जाते है उन के हाथो इस बिल क आने पर मुझे बडा ताज्जुब हो रहा है। किस कदर मासूमियत क साथ कहा गया है कि एक काम्प्रीहेंसिव बिल आएगा? आप की इत्तिला के लिए मैं एक अर्ज कर द कि जब से आर्डिनेन्स आया है तब से अब तक लगभग 30—40 हजार की तादाद मे लोगो के मकान खाली किये जा चुके हैं और शायद इतने ही केसिज इस वक्त कोर्ट्स मे पेडिंग है। मालिक मकानो के घरो

मैं जैसे ईद और होली हो गई है और काम्प्रीहैंसिव बिल लाने का जो एलान किया गया है, जब तक वह आएगा उस वक्त तक शायद आप को काम्प्रीहैंसिव बिल लाने की जरूरत ही नही रह जाएगी। सब के सब बेचारे मकान वाले तब तक बेदखल किए जा चुके होंगे। जैसा कि शशिभूषण जी ने कहा मैं उन की बात की तायद करता हूं, मैं समझता हू कि अगर इस बिल को यह कहा जाय कि यह मकान मालिको का बिल है, इस बिल को अगर यह कहा जाय कि यह किरायेदारो के खिलाफ डी० डी० ए० और मालिक मकानों की साजिश है तो कोई गलत बात नही होगी। क्या माने है, पहले मकान को खाली कराने के लिए एविक्शन आर्डर के बाद छ महीने की मियाद थी उस को घटा कर दो महीने कर दिया गया है? जरा गौर फरमाइए क्या क्या सूबिया हैं? पहले मुकदमे चलते थे तो काफी अरसा उसमे लगता था अब वारिशा के लिए मैक्सिमम एक साल कर दिया गया है, एक साल मे निकाल बाहर कर दिया जायेगा और क्या उलटी बात कही गई है कि जो फाइनेंशियली डिपेंट करता है, अब जो बेचारा किरायेदार मर गया उस पर फाइनेंशियली कौन डिपेंट करेगा, मैं आप से कहूगा कि कार्ट यही चीज ले कर एक एक मुकदमा किरायेदारो को हरएगी। मैं नही समझता कि यह कोई इसाफ किया जा रहा है।

जरूरत तो इस बात की थी, आप भी जानते होंगे देश के अन्दर हजारो हजार की तादाद मे आज बगैर मकान के लोग मारे मारे घूम रहे हैं, फुट पाथो पर, झुग्गी झोपड़ियो मे पड़े है, मेरा ख्याल है शायद उन की भी तादाद 40-50 लाख से कम नही है, ज्यादा है जो एकमोडेशन के लिए मारे मारे फिरते हैं, ऐसी हालत मे हम तो यह इमैंजिन करते थे कि हमारे बडे भाई और बजुर्ग भगत जी के जरिए बेचारे मकान के लिए तरसने लोगों को राहत देने के लिए कोई बिल आएगा, गरीब किरायेदारों को राहत देने के लिए कोई बिल आएगा। लेकिन उस के बजाय यह बिल आया है। मैं समझता हू कि यह बहुत बडी नाइसाफी की बात है। मकान तो खाली हो जाय, किराये पर कोई सीलिंग का प्राविजन नही है। जितने बडे मे बडे मकान है उन के ऊपर कोई सीलिंग नही है। हम तो उम्मीद करते थे कि हरिजन और गरीब लोग जो है, पूअर आमदनी वाले जो है उन के पास जो बडे बडे लोगो के मकान है वह उन छोटे छोटे किरायेदारो की मिल्कियत कर दिए जाएगे, उन को उसका मालिक बन दिया जायगा। लेकिन इसके बजाय यह बिल आया है। प्राइम मिनिस्टर के 20 प्वाइंट प्रोग्राम के जमाने में और भगत जी जैसे इसान के हाथ मे ऐसा बिल आए तो उस के लिए सिवाय अफसोस के और क्य कहा जा सकता है? मैं शशि भूषणा और इन्द्रजीत गुप्त जी के ख्यालो को नार्दन करते हुए कहूगा कि भगत जी, आप की जो रपुटेशन है उसको न गिरने दीजिए। अवाम के लिए आप लडे है, जमुनापार की एरिया के मकानो के लिए बार बार आप लडे है। मैं नही चाहता हू कि आप की रेपुटेशन गिरे। मेरी दरख्वास्त है कि आप डी० डी० ए० और दिल्ली एडमिनिस्ट्रेशन की साजिश का शिकार न हो, मकान-मालिको की साजिश का शिकार न हों। आप मेहरबानी कर के इस बिल को वापस

[श्री इसहाक सम्भली]

लें और आर्डिनेन्स के बाद जो लोग मकानों से निकाले गये हैं उन को प्रोटेक्शन दीजिए, तब मैं समझताहू कि आप के हाथो कोई इन्साफ होगा।

इन शब्दो के साथ मैं श्री इन्द्रजीत गुप्ता साहब के रेजूल्यूशन का समर्थन करता हू।

[शरी اسحاق سنبھلی (امروھہ):

سبھاپتی مہودیہ ؛ شری اندرجیت گپتا نے جو کچھ کہا ھے میں اسکو پوری طرح سپورٹ کرتا ہوں - اس لئے میں ان چیزوں کے بارے میں جو وہ کہہ چکے ھیں دوھرانے میں ٹائم نہیں لونگا - میں چند پوائنٹس اور رکھنا چاھتا ہوں -

سب سے پہلی چیز یہ ھے کہ ھمارے بھائی ؛ ھمارے رھنما ؛ بھگت جی ؛ جنکے لئے نہ صرف اس چیمبر میں بلکہ پورے ھندوستان میں وہ ایک بہت اچھے کانگریس میں اور پروگریسیو انسان خیال کئے جاتے ھیں؛ انکے ھاتھوں اس بل کے آنے پر مجھے بڑا تعجب ھو رھا ھے - کس قدر معصومیت کے ساتھ کہا گیا ھے کہ ایک کا سپریہینسو بل آنے کا - آپ کی اطلاع کے لئے میں عرض کر دوں کہ جب سے آرڈیننس آیا ھے تب سے اب تک لگ بھگ 30-40 ھزار کی تعداد میں لوگوں کے مکان چھینے جا چکے ھیں اور شاید اگلے ھی کیسز اسوقت کورٹس میں پینڈنگ ھیں - مالک مکانوں کے گھروں میں جیسے عید اور ھولی ھو گئی ھے اور کامپری ھنسو بل لانے کا جو اعلان کیا گیا ھے جب تک وہ آئے گا اسوقت تک شاید آپ کو کامپری ھنسو بل لانے کی ضرورت ھی نہیں رہ جائے گی - سب کے سب بیچارے مکان والے تب تک ، بیدخل کئے جا چکے ھونگے - جیسا کہ ششی بھوشن جی نے کہا میں ان کی بات کی تائید کرتا ہوں - میں سمجھتا ھوں کہ اگر اس بل کو یہ کہا جائے کہ یہ مکان مالکوں کا بل ھے؛ اس بل کو اگر یہ کہا جائے کہ یہ کرائے داروں کے خلاف ڈی - ڈی - اے اور مالک مکانوں کی سازش ھے تو کوئی غلط بات نہیں ھوگی - کیا معنی ھیں - پہلے مکان کے خالی کرانے کے لئے اوکسن آرڈر کے بعد چھ مہینے کی میعاد تھی اسکو گھٹا کر دو مہینے کر دیا گیا ھے ؟ ذرا اور فرمائیے کیا کیا خوبیاں ھیں ؟ پہلے مقدمہ چلتے تھے تو کافی عرصہ اس میں لگتا تھا - اب وارثوں کے لئے میکسیمم ایک سال کر دیا گیا ھے - ایک سال میں نکال باھر کر دیا جائے

والے جو ہیں اُنکے پاس جو بڑے بڑے لوگوں کے مکان ہیں وہ ان چھوٹے چھوٹے کرایہ داروں کی ملکیت کر دیئے جائیں ؟ انکو اس کا مالک بنا دیا جائے گا - لیکن اس کے بجائے یہ بل آیا ہے - پرائم منسٹر کے ٢٠ پوائنٹ پروگرام کے زمانے میں اور بھگت جی جیسے انسان کے ہاتھ سے ایسا بل آئے تو اس کے لئے سوائے افسوس کے اور کیا کہا جا سکتا ہے ؟ میں ششی بھوشن اور اندرجیت گپتا جی کے خیالوں کی تائید کرتے ہوئے کہوں گا کہ بھگت جی ؟ آپ کی جو ریپوٹیشن ہے اسکو نہ گرنے دیجئے - عوام کے لئے آپ لڑے ہیں - جمنا پار کے ایریا کے مکانوں کے لئے بار بار آپ لڑے ہیں - میں نہیں چاہتا ہوں کہ آپ کی ریپوٹیشن گرے - میری درخواست ہے کہ آپ ڈی - ڈی - اے اور دلی ایڈمنسٹریشن کی سازش کا شکار نہ ہوں - مکان مالکوں کی سازش کا شکار نہ ہوں- آپ مہربانی کرکے اس بل کو واپس لیں اور آرڈیننس کے بعد جو لوگ مکانوں سے نکالے گئے ہیں انکو پروٹیکشن دیجئے - تب میں سمجھتا ہوں کہ آپ کے ہاتھوں کوئی انصاف ہوگا- ان شبدوں کے ساتھ میں شری اندر جیت گپتا صاحب کے وزیولیوشن کا سمرتھن کرتا ہوں -]

کا کوئی کیا الٹی بات کہی گئی ہے کہ جو فائنینشلی ڈیپینڈ کرتا ہے - اب جو بیچارہ کرایہ دار مر گیا اس پر فائنینشلی کون ڈیپینڈ کریگا؟ میں آپ سے کہوں گا کہ کورٹ یہی چیز لیکر ایک ایک مقدمہ کرائے داروں کا ہوائے گی - میں نہیں سمجھتا کہ یہ کوئی انصاف کیا جا رہا ہے -

ضرورت تو اس بات کی تھی- آپ بھی جانتے ہونگے دہلی کے اندر ہزاروں ہزار کی تعداد میں آج بغیر مکان کے لوگ مارے مارے گھوم رہے ہیں، فٹ پاتھوں پر- جھگی جھونپڑیوں میں پڑے ہیں ؟ میرا خیال ہے شاید ان کی بھی تعداد 50-40 لاکھ سے کم نہیں ہے - زیادہ ہے جو ایکموڈیشن کے لئے مارے مارے پھرتے ہیں - ایسی حالت میں ہم تو یہ امیجن کرتے تھے کہ ہمارے بڑے بھائی اور بزرگ بھگت جی کے ذریعہ بیچارے مکان کے لئے ترستے لوگوں کو راحت دینے کے لئے کوئی بل آئے گا - غریب کرایہ داروں کو راحت دینے کیلئے کوئی بل آئے گا، لیکن اس کے بجائے یہ بل آیا ہے- میں سمجھتا ہوں کہ یہ بہت بڑی ناانصافی کی بات ہے - مکان تو خالی ہو جائیں- کرایہ پر کوئی سیلنگ کا پروویژن نہیں ہے - جتنے بڑے سے بڑے مکان ہیں انکے اوپر کوئی سیلنگ نہیں ہے- ہم تو امید کرتے تھے کہ غریب اور غریب لوگ جو ہیں - پوور آمدنی

SHRI N K SANGHI (Jalore). The Delhi Rent Control (Amendment) Bill has been brought to amend the Delhi Rent Control Act, 1958 I am sure it was not the purpose of the Government, while bringing this measure, to create greater hardships for the tenants

Recently Government have decided that all those officers owning houses should vacate their government accommodation and shift to their own houses. I think, it is for this limited purpose that this Bill has been brought before the House Some of the points that have been made by my predecessors, Mr Shashi Bhushan and Mr Indrajit Gupta, are very laudable and cannot be repudiated easily What we have provided in this Bill is that, when a tenant dies his heirs and successors should be able to get the same tenancy right What has happened in the past is this The original Delhi Rent Control Act had provided that the tenancy would, *ipso facto*, go to his heirs and successors But certain landlords went to the court, and it was decided in the Supreme Court that the heirs and successors would not become the natural rightful owners after the tenants died It is with a view to rectifying that defect in the judgment of the Supreme Court that this Bill has been brought before the House

But what do we find in this Bill? There is a proviso to the effect that in case the dependents are not financially independent then only they will get the tenancy right I would like to pose a small problem before him. Suppose an earning tenant who was getting a salary of Rs 1 000 per month died and he has a son who is getting a salary of Rs 200 per month After his father's death he is an earning member Is he in a position to leave that tenancy? Should he be asked to vacate the house? No definition has been provided as to what will be considered 'financially independent', if this definition had been provided, then I could understand If a tenant was a poor man and he died, and his natural heirs and successors are very rich very affluent, have very high jobs and can afford to pay a heavy rent then they could be asked to vacate But, here, no definition has been given of the term 'financially independent persons Hence, I personally feel that this sort of measure is not going to bring the results that are sought to be achieved by rebutting the judgment of the Supreme Court I have been told that more than 40 000 cases of this type are lying with the Rent Controller in Delhi If that is the situation, then something has to be done comprehensively in this matter to see that relief is provided

Another very important point is this It is said that because certain officers now need accommodation in the city they should be able to get their own houses vacated very quickly and summarily Here I would point out that Government was responsible for allotting these houses to those officers In case a certain legislation is to be changed now they could decide that from now onwards government servants who have houses of their own will not be allotted government accommodation and that only persons who have no houses of their own will be able to get government accommodation That would have been a better legislative measure Or every case should have been examined on its merits In case certain officers had occupied government accommodation and were getting a fabulous amount by letting out their own houses they could be asked to go irrespective of the fact whether they are able to get their houses or not, because after all they have let out their houses on the positive understanding that once the house has been let out they will not be able to get it That has been the system in our country

When we want to make these radical changes, we have to be a little more humane After all, asking a man to submit a statement, once you go for eviction of a certain house, within 15 days is most unreasonable The person may be suffering from heart attack or the person may be out of India, or he may be busy with certain other things It is not possible to give an affidavit or a statement within 15 days These matters have to be looked into

Also, some of these government officers may not be able to go Because a certain officer has his own house you cannot say that he should get his house vacated and shift to that There may be certain loans on those houses and he may be required to pay off those loans There may be litigation and it may take time What I feel is that there should have been a humane approach while implementing this scheme we should not rush with such speed to get the houses vacated by the tenants who may be occupying them since ages Some humane approach is necessary and I would request the hon Minister to bring a comprehensive legislation taking all these things into account

SHRI N K P SALVE (Betul) Mr Chairman, Sir, I am afraid, I have to associate myself with the sentiments expressed by Shri Shashi Bhushan on this Bill As I have known, Shri Bhagat is a person who has been extremely sensitive to the sufferings of the people, I know, he is a person with tremendous human values Therefore Sir I must quote the scripture to him What shall it profit a man if he shall gain the whole world, but lose his own soul The moment, he shifts on to the Treasury Benches if the bureaucrats should force upon him to bring this legislative measure, I am afraid, Sir, our Shri Bhagat is no longer the same There are three reasons for it. The first one is, I am unable to understand the statutory termination of the tenancy in the case of children and wife and other people after the death of the tenant only if they are not financially dependent on the main tenant Cases out of number are known, where in a poorer family not only one person is working, but more than one person working Therefore, every time a landlord would be too happy to raise the plea that the other members living with the tenant were not financially dependent on the main tenant Today, at least after the death of the tenant, one could carry on the litigation for five years or ten years—thanks to the extremely slow, drudgerous and cumbersome process of the court—and in the meanwhile find some alternative accommodation Now after one year they will only be staying there as absolute intruders and encroachers I am sure Bhagat ji would thank twenty times before bringing this sort of legislation

Sir, I am one who wants to take a pragmatic view of the matter I know a legislative measure of this nature is also linked up with the house building activity Let us not take a one sided view, certainly subject to certain safeguards, you could have provided that subject to the review of the rent or subject to certain other conditions, the tenancy would continue in the hands of the successor Unless that is done, a grave injustice would be done to the tenant

Now I come to the proposed Section 14A Straightway I have not the slightest hesitation in telling Shri Bhagat that beware this shall be struck down as discriminatory What you think you can do to the persons, who are occupying the houses built by the Government as tenants If you are going to make this sort of classification that they shall be called upon summarily and within fifteen days if they are not able to establish their own claims for continuance of their stay, out they will be evicted,

[Shri N. K. P. Salve]

this sort of attitude, I am afraid, is going to be hopelessly discriminatory, but I am not on that ground. He himself is a lawyer and the Law Ministry is there to advise him I am on something else I have no sympathies with those bureaucrats who have built up large houses and to my knowledge, they are receiving rents as large as twenty thousand rupees a month. I am not standing here for a moment to plead their case By all means, a legislation is required to ensure that the bureaucrats, all those people to whom the houses are allotted by the Government do not have the best of both the words, have the government allotment on a cheap rent and go on building their houses and earn a fabulous profit out of that. Therefore, provide by all means that to such houses as are given to the business houses, to corporate entities, straightway this law will apply as it is, oust all the companies It does not matter, they will find accommodation for themselves As it is, wherever companies are taken as tenants, there is some smell, there is some suspicion about tenancy of this nature, but what about large many poor people who are tenants in the houses owned by the Government Their only fault is that they happen to be tenants and Government servants Is that quite enough to condemn them and almost throw them to the wolves immediately? Is it not possible to find a way out? Why is it not provided that it should be open to the Government servant himself to pay the market rent and continue to occupy the government accommodation? It should be open to him that if he does not want to pay the market rent, leave the Government house and find a house, for himself Why do you force the Government servant to find a house for himself? Why should the tenant be asked to find a house and be evicted? Why cannot you put it on to the government servant? That never happens because it is the bureaucrats who are running this and who would be making the legislation wanting the Parliament to vote for it. That is my submission.

श्री शिव नाथ सिंह (झुंझुनू) : सभापति महोदय, देहली रेन्ट कन्ट्रोल बिल एक सीमित परपज के लिए लाया गया है और मेरे ख्याल से उस को उसी संदर्भ में देखना चाहिए । मैं ने सभी माननीय सदस्यों को सुना और मुझे लगता है कि कहीं गरीब टीनेन्ट की बात कह कर वे उन ब्योरोक्रेट्स को बचा तो नहीं रहे है जिन्होंने बड बडे मकान बना रखे है और आज भी सरकारी मकानों मे रह रहे है और अपने मकानों से बडा बडा किराया कमा रहे है जैसाकि साल्वे साहब ने भी कहा । मेरा कहना यह है कि आप के जो बडे बडे अफसर हैं उन के अलावा किसी के पास मकान नहीं है और उन लोगों ने बिजनेस हाउसेज को बडे बडे ऊंचे रेन्ट पर मकान दिये हुए है । मैं तो यह समझता हू कि सरकार ने जो यह निर्णय किया है कि जिन सरकारी अफसरों के पास सरकारी एकोमोडेशन है और उन के खुद के अपने मकान हैं, वे अपने मकान मे जा कर रहें बहुत अच्छा है क्योंकि सरकार को उन मे रेन्ट बहुत कम मिल रहा है और अपने मकानों से वे बहुत ज्यादा रेन्ट कमा रहे है । उन्होंने एक तरह का यह बिजनेस बना लिया है ।

जब सरकार ने यह निर्णय लिया तो बडे बडे सरकारी अफसरों मे बडी खलबली मची और वे नहीं चाहते कि सरकारी एकोमोडेशन को छोड कर अपने मकान मे जाए क्योंकि इस मे उन को नुकसान है । इसलिए वे इस बात से चिंतित है और इस प्रोसेस को डिले करना चाहते है । सरकार ने जो यह निर्णय लिया वह अच्छा निर्णय लिया है और मैट्रोपोलिटीकल कौंसिल ने भी ऐसा ही निर्णय लिया है ।

श्री शशि भूषण मैट्रोपोलीटिकल कौंसिल ने ऐसा निर्णय नहीं लिया है। (व्यवधान)

श्री शिव नाथ सिंह : इसलिए सरकार ने जो यह निर्णय लिया है यह एक अच्छा निर्णय है कि जिन के पास अपने मकान है उन को सरकारी मकान छोड़ना पड़ेगा और मैं इस का स्वागत करता हू ।

श्री शशि भूषण . दूसरे मालिक मकान भी इस में आते है ।

श्री शिव नाथ सिंह : नही आते है । इस बिल में ऐसा नही है कि कोई भी मालिक, अगर उस के पर्सनल यूज के लिए उसको मकान चाहिए, टीनेन्ट को इजेक्ट करा सकता है । ऐसा प्रोवीजन इस एमेंडिंग बिल मे नही है, पुराने बिल मे होगा। **स्टेटमेंट आफ ओब्जेक्ट एण्ड रीजन्स** मे है लेकिन बिल मे ऐसा कही नही है ।

श्री शशि भूषण आप 14(ए) पढ़े ।

श्री शिव नाथ सिंह नही है । मै यह निवेदन करना चाहूगा कि इस बात को बहुत सीरियसली सोचना चाहिए ।

एक बात के लिए मैं आप से जरूर निवेदन करना चाहूगा कि इस मे आप ने चार कैटेग्रीज रखी हैं कि अगर टीनेन्ट मरता है तो उस के बाद चार कैटेग्रीज इन प्रीफरेंस मे रहेगी । पहले स्पाउज होगा फिर लड़का होगा, फिर पेरेन्ट्स होंगे और फिर ब्रदर-इन-ला होगी । मेरा निवेदन यह है कि चार कैटेग्रीज को एक्सक्लूड मत कीजिए । चारो को एक साथ रहने का अधिकार होना चाहिए । मान लीजिए कि आज एक स्पाउज रहती है तो उस के साथ आज उस के पेरेंट्स भी रह रहे है, उस के लडके की बहू विडो भी रह रही है और जैसे ही टीनेन्ट मर गया तो उस के मरने के बाद सिर्फ उस के स्पाउज को रहने का अधिकार है, बाकी को निकाल दिया जाएगा, यह आप का प्रोविजन इस बिल मे है और मै समझता हू कि यह प्रोविजन बहुत खतरनाक है और इस प्रोविजन को नही रखना चाहिए । चाहे लडके की बहू हो, पैरेन्ट्स हो या स्त्री हो, पति हो, उन सब को एक साथ रहने का अधिकार होना चाहिए क्योंकि आज भी वे उस के साथ रह रहे है । अब आप ने डिफ्रेंशियेट कर दिया और टीनेन्ट के मरने के बाद तीन कैटेग्रोज एक्सक्लूड हो जाएगी । इसलिए मैं चाहूगा कि इस बिल मे इस प्रोविजन को आप को देखना चाहिए और बाकी जो दूसरे प्रोवीजन हैं वे वेल सेलूटरी हैं और होने चाहिए । आज सरकार से ऋण ले कर सरकारी कर्मचारी मकान बनाते है और उस के बाद उस को रेन्ट आउट कर देते है । ऐसे लोगो को सरकारी एकोमोडेशन से निकालना चाहिए । इस में कुछ गरीब टीनेन्टस को दिक्कत हो सकती है लेकिन आज हम देखते है कि लोगो के तीन तीन, चार चार मंजिले मकान है और मैं शशि भूषण जी से इस बात मे बिल्कुल सहमत हू कि जितनी एकोमोडेशन एक परिवार के लिए चाहिए उतनी ही एकोमोडेशन खाली कराई जाए और बाकी जो एकोमोडेशन है उस को खाली न कराया जाए । यह भी होना चाहिए कि जितनी एकोमोडेशन खाली करा पाते है उस को फिर से सबलेट न कर सके और इस के सबलेटिंग पर बार होनी चाहिए ।

यहा पर ऐसी बाते कह कर अगर हम सरकारी अफसरो को बचाना चाहेंगे तो यह बडे दुर्भाग्य की बात होगी । उन सरकारी अफसरो को बचाने का प्रयत्न नहीं करना चाहिए जिन्होने काफी रेन्ट पर अपने मकान चढ़ा रखे है ।

[श्री शिव नाथ सिंह]

इन शब्दो के साथ मैं इस बिल का समर्थन करता हूं ।

श्री शशि भूषण अध्यक्ष जी, सरकारी अफसरो से जरूर मकान खाली कराना चाहिये, हडरेड परसेंट खाली कराना चाहिये, लेकिन सरकारी अफसरों के अलावा जो मकान मालिको की इसमे सुविधा दी जा रही है मकान खाली कराने की, मै उसका विरोध करता हू ।

श्री मूलचन्द डागा (पाली) एक माननीय सदस्य कह रहे थे कि 40 हजार मुकदमे पैंडिंग है । मैंने यह कही नही पढा । बिल का जो परपज है वह समझना चाहिये ।

परसो मेरे एक प्रश्न का उत्तर दिया गया था कि सरकार 75 करोड रुपय मकान किराये का देती है । इस बारे मे एक कप्रो-हैसिव बिल लाया जाना चाहिये । मै तो यह चाहता हू कि ऐसा कानून लाया जाये जिसमे किरायेदारो को मकान का मालिक बना दिया जाये तभी यह समस्या हल होगी ।

कई हाई-कोर्टस ने किरायेदार के सबमैंसर को ट्रेसपासर या इट्रूडर माना है अगर उसका नाम लीज-डीड पर न हो, इसीलिये उसका एविक्शन हो जाता है । इसलिये इस अमेंडमेंट को हमे वैलकम करना चाहिये ।

जहा तक गवनमेंट सर्वेन्ट्स और उनके एविक्शन का सवाल है उसमे यह प्रावीजन दिया गया है कि जहा इन-जस्टिस हुआ हो, हाई कोर्ट भी सारे रिकार्ड को मगाकर देख सकता है । मै समझता हू कि यह प्रावीजन रहना चाहिये और हाईकोर्ट उन आम्पैक्टस की भी जाच कर सकता है, जिनका जिक्र अभी श्री इन्द्रजीत गुप्ता कर रहे थे ।

इस बिल का परपज तो बिल्कुल ठीक था । मैं चाहता हू कि जितने हम एम०पीज और मिनिस्टर्स है, उन पर भी यह सख्ती से लागू किया जाये । उन्होने भी अपने मकान किराये पर दे रखे है । मुझे सबसे बडा दुख इस बात का है । चैरिटी बिगन्स एट होम । कई मिनिस्टरो के अपने मकान है और वह गवर्नमेंट के मकानो मे रहते है । कई एम०पीज ने अपने मकान किराये पर दे रखे है । यह कितनी गन्दी बात है कि सर्वेन्ट क्वार्टर्ज गैराज और यहां तक कि रहने के मकान भी किराये पर दिये जाते है ?

पार्लियामैंटरी एफयर्स के मिनिस्टर इस तरफ ध्यान दे कई एम०पीज ने अपने मकान सबलेट कर रखे है । जब पार्लियामेंट का सेशन नही होता है और वे दिल्ली से बाहर चले जाते है तो दूसरे लोग उसमे रहते हैं ।

श्री राम सहाय पांडे (राजनदगाव) सभापति जी, यह जेनरल रिमार्क नही होना चाहिये । यह बहुत गलत है ।

If he knows about a particular Member of Parliament then only he should say all this This is something very wrong on the part of Shri Mool Chand Daga to say that whenever members of Parliament go out, they sublet the quarters and some other people live in the quarters

श्री मूलचन्द डागा हाउस कमेटी के चेयरमैन बन कर माननीय सदस्य ऐसी बात न कहें । वह अपने आप को डिफेन्ड न करें । मैं यह बात उनसे नही कह रहा हू ।

श्री राम सहाय पांडे मैंने अपने मकान को सबलेट नही किया है

Do not treat Members of Parliament as dishonest until and unless

you have an authoritative information. This is a sweeping remark against the Members of Parliament.

श्री मूलचन्द डागा : मैंने यह नहीं कहा है । माननीय सदस्य मेरी बात को गलत इन्टरप्रेट न करें । मकानों को खाली कराने का जो प्रावीजन रखा गया है, वह ठीक है । माननीय सदस्य मेरी बात को समझने की कोशिश करें । मैंने यह कहा है कि जो लोग अपने गैराज या सर्वेन्ट क्वाटर किराये पर देते हैं, उनको भी रोकना चाहिये ।

जहां तक मकान को खाली कराने का सवाल है इस बिल में "फाटनेक्टियली डिसैडेंट देने का परपज रखा है । इसमें बहुत बड़ी मिसचीफ हो सकती है । इसका फायदा उठाकर लैंडलार्ड अपने मकान खाली करा लेंगे । इस बिल में मकान खाली कराने के लिये समरी प्रोसीजर की बात कही गई है । उस एविक्शन का तरीका क्या है ? मान लीजिए कि डिक्री हो जाती है, तो फिर उसका क्या होगा, यह पता नहीं ।

श्री राम सहाय पांडे (राजनदगाव) : सभापति महोदय, इस विधेयक में यह जो व्यवस्था की गई है कि गवर्नमेंट ने अपने जिन आफिसर्स को रहने के लिये मकान दे रखे है, अगर उनके पास अपने मकान या प्रापर्टी है, जिसको उन्होंने किराये पर दे रखा है, तो उनको गवर्नमेंट का मकान खाली कर देना चाहिये, मैं समझता हूं कि यही पर फुलस्टाप कर देना चाहिये था । दिल्ली का मकानों का इतिहास कोई आज का नहीं है । वे लोग बीसियों बरसों से गवर्नमेंट हाउसेज में रह रहे हैं और इस अवधि में उन्होंने अपने छोटे या बड़े मकान बनाये है । उदाहरण के लिये बसन्त विहार, डिफैन्स कालोनी और महारानी बाग में बड़े-बड़े मकान बने हुए है, जिनके चूंकि किराये 3 हजार रुपये से 10 हजार रुपये तक है, गवर्नमेंट ने वह तो ठीक किया कि जिन सरकारी कर्मचारियों के पास अपनी निजी प्रापर्टी है, जिन्होंने इसके लिये को-आपरेटिव सोसाइटी बनाई, गवर्नमेंट से सस्ते इन्ट्रेस्ट पर लोन लिया, अपने मकान बनाये और अब वे किराया वसूल कर रहे है और गवर्नमेंट के मकान में भी रह रहे है, उनको कहा जावे कि वे मेहरबानी कर के तसरोफ ले जायें । लेकिन सरकार उन लोगों के निजी मकानों में बसे हुए टेनेन्ट्स की इज्जत पर हाथ क्यों डालती है ?

कल मेरे पास एक केस आया । करौलबाग की एक मिसेज ग्रोवर, जो एक बूढ़ी औरत है, रोते हुए आई । उन्होंने कहा कि मेरे लैंडलार्ड ने कहा है कि उसका दो कमरे का मकान खाली कर दिया जाये । मैंने कहा कि क्यों ? उन्होंने कहा कि श्री भगत पार्लियामैंट में एक ऐसा बिल ला रहे है । मैंने पूछा कि कौन श्री भगत ? उन्होंने कहा कि जो पहले मेम्बर थे और अब मिनिस्टर बन गये है । सरकार को कहना चाहिये था कि वे सरकारी अफसर अपने रहने के लिये खुद इन्तजाम करें । उनको इस तरह से साधारण किरायेदारों को निकालने का प्रावीजन नहीं रखना चाहिये था ।

आखिर यह बिल किस ने ड्राफ्ट किया है ? क्या श्री भगत ने ? वह तो 6 महीने पहले ड्राफ्ट हुआ था । श्री भगत तो इस चक्कर में फस गये है । जब वह दिल्ली में अपनी कास्टीट्एसी में जायेंगे, तो छोटे छोटे मकानों में रहने वाले लोग उनसे क्या कहेंगे ? मैं समझता हूं कि जहां पहले उनको फूल मिलते थे, अब उनको पत्थर मिलेंगे । जैसा कि मैंने कहा है, सरकारी का काम यह था कि गवर्नमेंट के वे अफसर और

[श्री राम सहाय पांडे]

ब्यरोक्रेट्स, जिन्होंने अपने मकान बना लिये है, वे सरकारी मकानों को खाली कर दे और अपने रहने के लिये चाहे जो इंतजाम करें। सवाल यह है कि जो लोग टेनेन्ट्स की हैसियत से उनके मकानो मे रह रहे है, वे अब कहा जायेंगे ? इन लोगों के पास तो पैसा था और उन्होंने मकान बना लिये। वे किराया भी वसूल कर रहे थे और सस्ते किराये पर सरकारी मकान मे भी रह रहे थे। इसी तरह वह डब्ल एडवान्टेज ले रहे थे। अब आप उनको एक और एडवान्टेज दे रहे है कि वे अपने मकान खाली करा ले।

जैसा कि मैंने शुरु मे कहा है, सिर्फ यह व्यवस्था करनी चाहिये कि जो टेनेन्ट इस वक्त मकानो मे है, उनको न निकाला जाये और वही पर विराम लगा दिया जाये। जो कोई गवर्नमेंट सर्वेन्ट किसी सरकारी मकान मे रहता है, वह उसे खाली कर देना चाहिये।

इस बिल मे एक व्यवस्था यह रखी गई है कि अगर किसी व्यक्ति ने 15 दिन मे नोटिस नही लिया, या वह नोटिस सर्व नही हुआ तो उनको जब चाहे निकाला जा सकता है। कोई पडौसी या कोई अन्य व्यक्ति बडी आसानी से पोस्टमैन को कुछ देकर ऐसी स्थिति पैदा कर सकता है कि यह नोटिस सर्व न हो। अगर वह समन तामील नही हुआ 15 रोज मे तो कमी भी आप जा कर बेदखल कर दीजिए यह कहा का इसाफ बना रखा है ? यह कहा का इखलाक है, कहा की तहजीब है कि समन तामील न होने पर 15 दिन मे बेदखल कर देंगे। इसी तरह एक साल की बात है।

मैं समझता हूं कि यह बिल बहुत जल्दी जल्दी मे पेश हो गया और भगत जी को फंसा दिया गया। भगत जी की नीयत, उन की शराफत उन की हमदर्दी सब ठीक है, मैं बिलकुल उस पर डाउट नही कर रहा हू लेकिन भगत जी कहा फसे आ कर और उस का तजुर्बा भी उन को अच्छा हो गया होगा। मैं समझता हू कि इस तजुर्बे से वह सबक लेंगे और पब्लिक लाइफ की एक डिग्निटी है, गरीब आदमी के लिए जो उन के दिल मे दर्द है उस को उसी तरह से कायम रखेंगे। दिल्ली मे उनको रहना है, दिल्ली कैपिटल है, दिल्ली मे मिनिस्ट्री है, दिल्ली से अगर उन का बेदखल कीजिएगा तो वही ऐसा न हो कि आप को ही बेदखल होना पडे।

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI H K L BHAGAT) Mr Chairman Sir I am grateful to the hon Members who have expressed their sympathy for tenants Government fully share their sympathy and is fully sympathetic to the interests of the tenants of Delhi

I am very grateful to the hon Members who have expressed some confidence in me and I can assure them that I have the same sympathy for the tenants of Delhi and the poor man as they have My coming to Government has not made any differance in that

Sir with respect, I would like to mention some of the points which were raised by the hon Members Firstly I would like to clearify that this Bill applies only to the statutory tenants and it does not apply to the contractual tenants As regards relationship between landlord and tenants, some of the hon Members were mentioning that the name of the successor is not mentioned in the least and therefore, automatically one does not become a

heir or successor Here that is a mistaken impression about the law This law applies only to the statutory tenants who are not governed by any contractual obligations where the relationship is governed between a tenant and landlord by a contract that his heirs and successors can take the benefit In that case the problem does not arise

Now with very great respect I must say that I am very very grateful to the hon Members for some of the suggestions which they have made As I myself submitted in the beginning the Government propose to bring forward a comprehensive bill in the next session of Parliament I agree that there has been a delay in bringing a comprehensive bill But, I thought that I should have been congratulated for that statement that Government was likely to bring a bill in the next session of Parliament

With regard to this Bill also, I would very respectfully submit that I do not share (*Interruptions*) Please listen to me I should tell the hon Members that I do not agree with them that this Bill helps the landlords and that it does not help the tenants The impression that this Bill is intended to help the landlords with great respect and humility I would like to point out, is not correct If we really come to the provisions of the Bill Some of the hon Members suggested that I should withdraw this Bill Some even suggested to send it to a Joint Select Committee One hon Member pointed out that I had raised this matter in this House in one of the sessions in Parliament under rule 377 I wish to submit this for his kind consideration that what I had said precisely was that the Bill to give protection to the heirs and successors should be brought in the House That Bill is now being brought in here I think that you may have some difference of opinion, you may say that the scope of protection is limited One can argue that way that certainly this scope of protection should be wider Shri Indrajit Gupta and some other hon Members have pointed out that this Bill is a step backward in so far as heirs and successors are concerned To my mind that is not correct

Now what I said in this House was this as a Member then and on behalf of Government, a Bill is being brought forward I am completely a party to it I honestly believe that this Bill is a step forward in giving protection to certain categories of heirs and successors Supposing this Bill is withdrawn or sent to the Joint Select Committee it will take time—this has been made applicable to all the cases which are pending in the court today and this will give protection to a number of cases—and then the position will be restored as per the decision of the Supreme Court, that is no heir or successor of any category will be able to get protection which is provided in this Bill

Further Sir the operation of this Bill has been made retrospective to the extent that even in cases where the decree against the tenant has been passed and the possession has not been recovered there also the tenant can go and ask for recovery of the possession back That way it will benefit quite a number of people I know, the sympathies of the hon Members are with the tenants but if I accept your suggestion then it will prolong the miseries of the tenats

In this Bill there is one peculiar thing which the hon Members might have noticed that the benefit has been given even to the daughter in law in certain conditions which do not exist in any other law Sir, what I wish to submit is that the position may be seen as it existed before the Bill was brought in terms of the decision of the Supreme Court and what this Bill seeks to confer

[Shri H. K. L. Bhagat.]

My friend, Hon'ble Member Shri Shashi Bhushan said that there are 60,000 cases pending in the courts and hon'ble Shri Sambhali went to the extent of saying that after the promulgation of this Ordinance thousands have been evicted already and by the time the Government brings a comprehensive Bill there will be no tenant left. Sir, I have great respect for Shri Sambhali but I will say his remarks should be as objective as possible. I might bring to the notice of the hon. Members that the total number of eviction cases pending in various tribunals—the question of successor may or may not be involved—as on 31st October 1975 is 4659. As regards the cases before the Rent Control Tribunal pending on the same date the number is 1182. This includes various categories of cases. Therefore, what I am submitting is that the figure regarding the total number of cases being 60,000 and of thousands having been evicted is not correct.

An hon'ble Member raised the question as to how many cases were filed after that. With regard to Section 14(A) which relates to Government servants some 300 and odd cases have been filed and decree has been passed only in two cases and execution of these two decrees has not taken place. Therefore, what I want to submit is that we should not exaggerate the problem out of proportion. I do not say this Bill when passed will help every case. The hon. Members have given certain suggestions and the Government is bringing a comprehensive Bill. The Government is not precluded to consider the suggestion that might then be raised. Therefore, what I am submitting is that we should see the problem as it stands and see how much benefit this Bill gives to the tenants, heirs and successors of certain categories.

Further, Sir, an impression has been sought to be created as if by giving accommodation to Government servants probably thousands of people will be affected. The total number of government servants affected by the Government decision—according to the information available with me—is 3748. Now, that is the number of Government servants. This includes bungalows. It includes Government servants who own even one house. Whether he owns it in authorised colony or unauthorise colony, the total number is this. Therefore, we should see the situation in the correct perspective.

Now, hon. Member Shri Indrajit Gupta has said: "Well, this is meant to solve the Government's difficulties I would request him to kindly see the situation in this context. This Bill is neither intended against the Government servant nor is it to do anything which is peculiarly helpful to the Government as such The responsibility of the Government is to provide accommodation to the Government servants. That is there. Now, there are a large number of Government servants in Delhi who have not been given accommodation, though they have been in service for a long time. Each house vacated under the provisions of this Bill will be allotted to whom? It is allotted to another Government servant who has been waiting for a long time It may be that he is paying higher rent elsewhere and may be he is not paying a large amount of rent. Any house vacated by the Government servant is beneficial to another Government servant. It may be a case of hardship in one case but it may be the case of benefit to another such servant The Government has sympathy for Government servants.

Now, some hon. Members mentioned about the Summary Procedure, for bona fide requirements. I would submit to the kind consideration of the House that this bona fide procedure is confined to bona fide requirements only. Shri Gupta raised a point on

this He said supposing a man takes an execuse and gets a man evicted, what is the provision to protect him?" I would submit that there is a provision for this That has been there already in the original Act itself For his benefit, I will point out for his consideration Section 19 of the original Rent Control Act 1958 read with 48(3) of the same Act that if a man takes a decree and does not use the house for three years but puts somebody without permission of the Controller, then the Controller has a power to put back the tenant and then the penalty is also provided that the man can be punished with imprisonment for three months or so Whether this is adequate or not is a matter which the House will certainly have an opportunity to consider when the comprehensive bill comes up It is wrong that no remedy is there, but the remedy is there that the man can be put back and so on

Now about the question of *bona fide* necessities hon Member Shri Shashi Bhushan raised a point To this I would submit that ultimately the question of *bona fide* necessities has to be decided by Court One thing I would like to point out is that apart from the Government servants, there are retired Government servants who had their houses They cannot get back their houses There are people in the army who served on the front They have come back They want their houses They cannot get it for years It goes on like this So, you cannot say that there is no *bona fide* genuine requirement There are cases of hardship where really there is need for houses for their own use which they had built for themselves I know a number of cases Therefore, we should see the situation in this context also and with great respect and humility I would submit another point of view Probably we seem to be thinking—this is an old notion—that everybody owning a house today is big landlord It is in the olden days that they used to have big estates and they had dozens and hundreds and thousands of tenants and they were big people But today in Delhi as some friends said very rightly the situation must be seen in the social context I wish to put the situation in the social context itself I am sure the hon Member Shri Shashi Bhusan knows that the situation in Delhi today is different It is not that there are only some big people who own very big estates and all others are tenants in the city of Delhi There are thousands of poor people who have houses who keep tenants and it has been our policy that poor people should build houses We have encouraged them to build houses Government has built houses and they have been given to them Even in Janata tenements people are keeping tenants Thousands of poor people are owning houses in Delhi today and thousands of poor people are going to own houses tomorrow Therefore, we should see the situation in this context also So far as *bona fide* requirement of a person who owns a house is concerned presumably he is also living somewhere as a tenant Are you not solving the problem of that tenant also? Therefore, to say this Bill is pro-landlord and helps only the landlords in letter and spirit is not correct

Mr Daga said that we should have given power to the High Court to review In clause 8 of section 25B it is there

Government is quite alive to the problem of housing in Delhi Government has developed cheaper plots of about 40 sq m and 80 sq m 12,000 such plots have already been allotted after the emergency and 8 000 more will be allotted during this year 20,000 more plots are proposed to be developed next year This will mean 80,000 dwelling units in two years, i e after the emergency 4,000 to 6,000 quarters have already been allotted DDA have

[Shri H. K. L. Bhagat.]

plans for constructing 1 lakh dwelling units which will house 5 lakh people. Delhi is a growing city. Every year 2½ to 3 lakhs are added every year—1 lakh is the natural growth and 1½ to 2 lakhs come from other States. So, there is tremendous pressure which the Government has to face. We have to generate housing on a large scale and *the government is alive to this* responsibility. With due respect, I submit that this Bill will confer benefits on the tenants and it is wrong to say that it helps the landlords more than the tenants.

SHRI INDRAJIT GUPTA. Sir, I do not believe for a single moment that the Government at present has any serious intention of bringing a comprehensive Bill in the next session. If that were so there was no need to hurry through with this Bill, which is incomplete and badly drafted. This is proof of the fact that having passed this Bill, they have no intention of bringing any comprehensive Bill for a long time.

Regarding the protection which is sought to be given to the successors, I asked, why try to limit it to one year only in the case of wage earners? He has not replied to that

I am grateful to some senior members who have spoken in a very forthright manner in the interests of the tenants though they may ultimately vote for the Bill They have spoken out their mind and that is important Some members gave the impression as though once this Bill is passed, all Central Government employees who are owners of private houses will be automatically compelled to leave their government accommodation Nothing of the kind. This is only an enabling power and are special or general order will have to be made by Government to make them vacate the government accommodation allotted to them I am apprehensive that when you, come to implement section 14A(1) there will be so much scope for discrimination and liability to pressure of various kinds. We are all one here that these big bureaucrats owning big houses in Defence Colony. Vasant Vihar, Maharani Bagh or such places should be asked immediately to leave their government houses and go to their own houses. The question arises, what happens to the tenants? Not that the tenants living there are poor people. They are either companies or firms and in many cases they are embassies paying very high rent. I know several Secretaries of Ministries of this Government who are living in Government bungalows and have rented out their big houses in Vasant Vihar to foreign embassies on a rent of Rs. 5000, Rs 6000 and Rs. 8000 a month My point is why Government has allotted any accommodation to these persons when they know that they are owning their own houses Anyway, I am apprehensive that in particular cases when specific order will be required asking them to vacate Government accommodation, then on behalf of these landlords pressures and manoeuvres will begin from these big companies and I know that Government is susceptible to pressure by big companies And then the question of embassy people will come that after all, these are non Indians, they are foreigners and we should be careful to see that they are not put to difficulty. All these questions will be raised and the net result will be that these Government officials-*cum*-landlords will continue to enjoy the best of both worlds. Therefore, this is most un-satisfactory and you could have waited a little bit and more careful consideration of how to implement this thing. But, I am afraid, you are rushing with it because you do not really want to bring any more comprehensive Bill.

I am sorry to hear Mr. Bhagat talking about plans of the Government about new construction of houses and all that, because I know that hundreds

and thousands of ordinary, humble working people who in order to escape the clutches of landlords, had built little pucca houses across the Yamuna, in Mr. Bhagat's own constituency and he said: "We encourage them to build houses", and during the elections in 1971 even the Prime Minister who was taken there to address some election meeting, had stated to these people that the houses that they had built would be regularised as colonies, but now I have been there and I have seen with my own eyes that everything was bull-dozed overnight and pucca houses were being razed to the ground and in the middle of night, these people were taken in trucks and thrown in the middle of open waste land where with little chalk plots of 25 sq. yards were marked. These people say: "We ought these lands, we paid for it and we built houses and now we are suddenly told that these are un-authorised and overnight bull-dozers are working there". You please go there and see for yourself how they are chucked out in open space. That is why, I say, really a comprehensive Bill is required Why you are rushing forward with this just makes us suspicious and just how you have picked up one or two small points and imperfectly you are trying to say something and I do not know what the result will be But the real fundamental problem of Delhi is not solved at all That is why, I oppose this Bill and, therefore, my statutory resolution is there and it stands.

18 hrs.

MR CHAIRMAN· Now the question is:

"This House disapproves of the Delhi Rent Control (Amendment) Ordinance, 1975 (Ordinance No 24 of 1975) promulgated by the President on the 1st December, 1975"

The Motion was negatived.

MR. CHAIRMAN. The question is

"That the Bill further to amend the Delhi Rent Control Act, 1958, as passed by Rajya Sabha be taken into consideration."

The motion was adopted

MR. CHAIRMAN We shall now take up clauses

The question is

"That clauses 2 to 8 stand part of the Bill."

The motion was adopted

Clause 2 to 8 were added to the Bill

Clause 1 was added to the Bill

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Twenty-sixth Year"

substitute

"Twenty-seventh Year" (1)

(Shri H. K. L. Bhagat)

MR CHAIRMAN The question is·

"That the Enacting Formula, as amended, stand part of the Bill."

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill

SHRI H K L BHAGAT I beg to move

"That the Bill, as amended, be passed '

MR CHAIRMAN The question is·

'That the Bill, as amended, be passed '

The motion was adopted.

18 05 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, January 28, 1976/ Magha 8, 1897 (Saka)

GMGIPND—PMR—2243 L.S.—J.C —3535—26-2-76—978